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**Governance, Security and Elections  
in Nigeria**



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## **Reflections on the Applications of the Washington and Post-Washington Consensus Principles on Nigeria's Development Initiatives**

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### **Abstract**

*The study explored the saliency of the principles and applications of the Washington and Post Washington Consensus to Nigeria's development. The paper established that the contents of the Washington Consensus were mere regurgitations of the modernization prescriptions. We also observed that the policy plank as contained in the post Washington consensus are reflections of the cardinal principles of the developmental state. The paper employed the Marxian theory of social production of material values as the theoretical framework. Data were scooped from documentary method and the analysis was based on textual/content analysis. We noted among others that the Washington consensus is unsuitable for stimulating development in peripheral capitalist socio-formations. Again, the paper observed that the post Washington consensus holds effective promise of driving development if a visionary and patriotic leader drives the process. The paper therefore recommended, inter alia, instituting Nigerian consensus that will project economic diversification (industrialization), electoral reforms, strong state, indigenouse development and collective consensus.*

**Keywords:** Washington Consensus, Post Washington Consensus, Development, Modernisation, Developmental State

### **Introduction**

The Nigerian state presents a startling paradox - it is a nation that grapples with seemingly intractable development challenges amidst substantial degree of commercial-based resources including but not limited to iron ore, gold, lead, limestone, uranium, salt, tin ore, bitumen, asbestos, tantalite as well as richly endowed human resources; though majority of the aforementioned resources are still in their natural and unexploited state. Most fundamentally, Nigeria's location on the Gulf of Guinea is associated with its strategic relevance in the international political economy. Mañe (2005) observed that the Gulf of Guinea's tremendous potential creates investment opportunities for the countries in the region. Some of its resources, such as forests, minerals and oil, continue to attract considerable investments and generate revenue whereas others, like natural gas, could be exploited to their full potential if necessary, investments were undertaken. Prior to the discovery of oil in commercial quantities, the agricultural sector accounted for about 63% of the Gross Domestic Product though it has declined to an abysmal level due to the discovery of oil which now accounts for about 80% of the GDP and 92% of the national income (World Bank, 2015).

Meanwhile Nigeria's development indicators since gaining independence from colonial rule in the 1960s, have been quite disappointing. These manifest visibly in terms of unemployment, poverty, high maternal and child mortality rate, prevalence of deadly diseases, stunted economic growth, increase in social vices, putrefied and near absence of infrastructural facilities, increasing rate of illiteracy, food crisis, high cost of living together with low standard of living, high debt profile, high rate of inflation, low life expectancy rate, among other numerous challenges. For instance, the unemployment rate in Nigeria grew from 12.7% in 2007, 14.9% in 2008, 21.1% in 2010 to 26.5% in 2014 (NBS, 2014). In the same vein, the Human Development Index of Nigeria depreciated from 0.511% in 2007, 0.500% in 2013 to 0.504 in 2014 (UNDP, 2015).

Indeed, given the foregoing perennial development crisis ravaging the Nigerian state arising from the pictures illustrated above, there has been a tendency to synonymously depict Nigeria with underdevelopment and poverty. In this connection, when one refers or mention poverty and underdevelopment, the picturization is always Nigeria. Similarly, when scholars or researchers investigate the level of underdevelopment in the international system, they always rely on Nigeria as a point of data collection for the validation of their hypothesis. This development is not unconnected with the general perception that Nigeria is a home of underdevelopment and poverty. However, in view of the enormity and gloomy conditions development crisis in Nigeria, Egbemode (2008) succinctly quoted in Onuoha (2008) rhetorically presented the country in the following ways:

What kind of country plants tomatoes and not have plan for tinned tomatoes? What kind of nation has fisheries everywhere, but imports sardines and geisha? What kind of country plants corn in all its regions and imports sweet corn? Which other country do you know where cows obstruct vehicular movement in all the capital cities but still imports corned beef? Which nation has the fertile land to plant all the food it needs to feed its citizens, but leaves it to weeds? Welcome to Nigeria (Sun Newspaper, May 11, 2008 cited in Onuoha, 2008).

To mitigate the impact of the worsening economic conditions, the successive political leaders have over the years evolved and implemented several development strategies. These include: the import substitution industrialization of 1960s and export promotion and indigenization policies of 1970s. Between 1976 and 1980, the government pursued policies of Operation Feed the Nation and Green respectively, aimed at enhancing food production, reducing and eradicating poverty as well as boosting the rural economy so as to make Nigeria an economic giant in the continent and even beyond (Hamidu & Gambo, 2014).

Most importantly, the global economic meltdown of the 1980s occasioned by the oil glut in the international market led to decline in the price of Nigeria's export commodity (crude oil) as well as increase in the real interest rates. Due to the consistent and drastic decline in the prices of oil, Nigeria grappled with the challenge

of financing ongoing and newly initiated developmental projects. As a corollary, the World Bank, International Monetary Fund, international creditors and other lending institutions, “coached and encouraged” Nigeria and other developing economies to adopt various prescriptions enshrined in the Washington Consensus. These prescriptions include adoption of appropriate pricing policies in all sectors with greater reliance on market forces; restructuring and rationalization of the public sector through privatization, deregulation and removal of subsidies; trade liberalization, devaluation of currency; and adoption of realistic exchange rate.

Further Nigeria’s romanticisation with the National Economic and Empowerment Development Strategy (NEEDs) model was not only targeted towards launching the country into an era of economic prosperity, it was also aimed at addressing the negative effects of the Structural Adjustment Programmes through building strong institutional mechanisms of governance. Despite these efforts, substantial evidences suggest that Nigeria is still confused and trapped in the murky waters of underdevelopment, misery and self-inflicted development imbecility. These have complicated development as the crushing, overbearing and excruciating poverty and morbid decay in infrastructural facilities remain the ‘glorifying norm’. Worse still, after experimenting with myriads of development imported from the advanced western economies, human development ranking of Nigeria continues to recede. This questions the veracity and potency of these development models as instruments for change, human capacity transformation and societal transmogrification.

Thus, this paper revisited the central thesis of the Washington and Post-Washington Consensus with a view to reconstituting material conditions with ecological factors to stimulate sustainable development of Nigeria which operates in a dynamic global system. Herein lies the debate in the development trade-off.

### **Theoretical Compass**

The theoretical disposition adopted in this study is the social production and reproduction theory which is akin to what Marxian scholarship refers to as socio-economic system (Abalkin, Dzarasov and Kulijov, 1983). Meanwhile, Marx (1976) noted that the production of surplus value is the framework for analyzing the dynamism of the capitalist society.

Hence the basic propositions of this theory is that the fundamental interest of man (all living things) is security and survival; in order to survive or be secured, man must produce and reproduce himself; this social production and reproduction give character to other human values; the social activities is in part or full related to pains, pleasure, security, violence, development, underdevelopment, poverty, riches etc; what can be produced is based on a combination of the quality of labour, non-human physical resources and interpersonal relations; in every social production process there must be someone that makes binding decisions; those who make decisions also use it to their favour; every man struggle to remain in a favourable position in social production and reproduction process; those who are satisfied with the production system struggle to retain the system while those that are not satisfied struggle to alter the system.

Notably, capitalist system of social production and redistribution dominates the global economy generating its conflicts and poverty because only a few controls the production process leaving out most of the working people poor unlike the pre-capitalist communal system of production where the majority controlled the production process. Although capitalism has generated great wealth and knowledge unlike any other system of social production hitherto known to man, it has also generated greater disparity, inequality, human suffering and misery as wealth and power are increasingly privatized. Hence, Ogban Iyam (2005, p.45) observed that:

The current challenge to any modern polity is how to (1) adapt communal society production to the current large scale societies or polities or (2) how to transform a capitalist social labour to social products and no longer private product in which a majority rules or (3) to transform a socialist production system to a communal social production system in which a majority rules or (4) how to carry out a combination of 1 and 3 above where the majority are recessive and dominated by communal social production and minority of its citizens capitalist social production system

The above quotation suggests that Nigeria is most fitted for the fourth category where both communalism and capitalism are rife. In Nigeria, capitalism is dominant though not deeply rooted and popular, but communalism tainted in feudalism is dominating and deep rooted.

Based on the foregoing, we state as follows:

- Nigeria state is in a permanent status of economic disequilibrium arising largely from low production of material values and pursuit of policies aimed instituting beggar mentality and peasantry.
- Arising from the above, cultural secularization is deliberately disjointed and tainted with mistrust, mutual suspicion, intolerance and fear complex.
- As a corollary, social atomization is regimented, dislocated and atomized towards extensive selfish ends. This truncates efforts at national cohesion and consciousness and lives the political economy on the fringes of constant protection of ethnic/clannish identities.
- That rival groups namely – communalists and capitalist are continuously struggling to capture, control and dominate the Nigerian economy.
- This struggle between these groups breeds policy inconsistencies and subsequently distorts diversification of the economy
- That low intensity of social production and reproduction, low material and mental capacity of the leadership impel them to rely on **received and prepared** development models which they are equally incompetent to understand, interpret and implement.
- The existence of uncoordinated and inchoate economic structure is implicated in the persistence of over-bloated state structure which, in the midst of disjointed economic structure, rather serves as vehicle for advancing political

patronage and resuscitating loyal but criminally minded political surrogates.

- The existence of low productive potentials and competitiveness in the midst of liberalization project undermines the development of potent internal markets and thus enhances the emergence of a group of individuals *who reify the State and market, alienates others in the decision making and implementation* and hence see the political economy as their “self-serving shop and supermarket.”

The above factors combine to make it difficult, if not impossible, for any development project-be it autochthonous or received- to succeed in Nigeria.

### **Development: Conceptual Analysis**

The term development is generally used to describe the process of economic and social transformation within countries. It is thus associated, essentially with liberal and neo-liberal scholarship as a synonym to improvement in Gross National Product as well as Gross Domestic Product. Nevertheless, developing economies were encouraged to maintain at least a 6% annual growth in GNP to eradicate unemployment, poverty and general debilitating factors associated with underdevelopment.

However, the above assumption was seriously challenged particularly in 1970s when most of the Less Developed Countries recorded annual GDP growth of 6% and above and yet remained stagnant and submerged in poverty, unemployment, low standard of living, hyper-inflation, malnourishment, political instability and low-need achievement. Thenceforth emphasis shifted from mere growth in GNP to pursuit of development based on:

- (a) Growth with Redistribution Approach
- (b) Basic needs approach

Several decades of experimenting with the two-pronged approach rather exacerbated the problems and called for total re-examination of the whole issue of development. Meanwhile, Todaro and Smith (1992) conceive development as a multi- dimensional process involving the re- organization and re- orientation of the entire economic and social system. Seers (1969:3), for instance, was so pre-occupied with the ingredients of development that he appears to have forgotten the primary role of human factor in the process of development.

Nevertheless, Frank (1969), Amin (1973), Rodney (1972), Ake (2001), Gana (1989), Nnoli (1981), etc have in their various writings unleashed a deserved and unmitigated critique of the modernization persuasion. Among others, they noted that the modernization paradigm abstracted from history and concluded by presenting ahistorical and logically inconsistent analysis. They also noted that the modernization theorists, in their quest to twist existing historical material facts, ended up ignoring and/or glossing over the history of the historian. Particularly, Nnoli (1981), Ake (2001) and Rodney (1972) in their separate studies argued that development is multi-faceted, and man centered. Specifically, Ake (2001) observed that development that commits us to wholesale imitation of others leads to a wholesale repudiation of our

state of being. Similarly, Nnoli (1981) conceives development as a dialectical phenomenon in which the individual and the society interact with their physical, biological and inter human environments transforming them for their own betterment and that of humanity at large and being transformed in the process.

After a critical interrogation of the above, we re-defined development as: Man's-instigated socio- economic and political transformation of self and entire structure/institutions of a given political system to a comparatively low and/or present level to a more qualitative and/or remarkably - improved form. These transformations have at its wake, improvements of the living conditions and the material standing of the citizenry. It pointedly improves man's potentials and capabilities and subsequently eliminates and/or reduces poverty, penury, inequality, unemployment and generally enhances the condition for human existence and self-reproduction (Okolie, 2001). In sum, "development is innately associated with total transmogrification of man and the entire social structure from the present form to remarkably improved status" (Okolie, 2009, p.7).

### **Washington and Post-Washington Consensus**

The acronym "Washington Consensus" was initially coined in 1989 after a meeting had been held in Washington between Washington-based Institutions and Latin American representatives deciding on a set of policies to be implemented in the region at the material time. Recall that the dependencia theorists had criticized the predominant development paradigm (modernization, rooted in liberal and neo-liberal principles) propagated and eulogized by the advanced capitalist states and their institutional allies (International Financial Institutions) for engendering fallacious analysis of economic circumstances of developing economies. In fact, the dependency analysis challenges the fundamental principles of the modernization paradigm and empirically exposed the analytical imbecility of the latter: it equally uncovered the sharp and invidious activities of the advanced capitalist states in their avowed subterranean intent to sustain and consolidate inequality and lopsided regional development pattern.

Hence, dependency analysis emerged as an intellectual protest or movement to demean and diminish the propositions of modernization paradigm. As correctly noted by Petras and Morley (1990, p.59):

What remains of modernization theory is the language as a myth or an ideology of social action. The language serves as an excuse for the absence of a theory capable of confronting the problems of dis-accumulation, economic and social regression and atavistic religious and military revivalism.

In view of the foregoing, Washington Consensus was articulated as another way of reviving the basic principles of both liberal and neo-liberal development approach. Hence, John Williamson coined the term, the Washington Consensus in 1990 as partly a disguised means of fostering the distilled wisdom of the Reagan-Thatcher political era – rooted in un-distilled application of neo-liberal development



model. According to Parkins (nd:1), “the Washington consensus described a specific package of reforms that most of Washington officials thought would be good for Latin American countries”.

Indeed, Williamson used the Washington Consensus to summarize the commonly shared themes among policy makers and advisers of Washington-based institutions at the time, such as the International Monetary Fund, World Bank, and U.S Treasury Department which were believed to be necessary for the recovery of Latin America from the economic and financial crises of the 1980s (Naim, 1999). Remarkably, the consensus included ten broad sets of recommendations which Williamson (1990) outlined as follows:

- Fiscal policy discipline;
- Redirection of public spending from subsidies (“especially indiscriminate subsidies”) toward broad-based provision of key pro-growth services like primary education, primary health care and infrastructure investment;
- Tax Reform – broadening the tax base and adopting moderate marginal tax rates;
- Interest rates that are market determined and positive (but moderate) in real terms;
- Competitive exchange rates;
- Trade Liberalization – liberalization of imports, with emphasis on elimination of quantitative restrictions (licensing etc); any trade protection to be provided by low and relatively uniform tariffs;
- Liberalization of inward foreign direct investment;
- Privatization of State enterprises;
- Deregulation – abolition of regulations that impede market entry or restrict competition, except for those justified on safety, environment and consumer protection grounds, and prudent oversight of financial institutions; and
- Legal security of property rights.

It is important to emphasize that the Washington consensus was to a large degree a reaction to the macroeconomic crisis that afflicted most of Latin American countries and some other developing regions during the 1980s. The crisis was caused by the following:

- The drastic rise in the price of imported oil following the emergence of OPEC;
- Mounting levels of external debt
- The exogenous rise in US (and hence international) interest rates, and consequent upon the foregoing problems, the loss of access to additional foreign credit.

Thus, Williamson believed that the Washington consensus would provide better development alternative to Latin American countries. Although scholars like Naim (2002) and Stiglitz (2002) had unleashed consolidated criticisms of the Washington consensus, the foremost advocate Williamson equally appreciates that

the term has taken on a different meaning more closely related to market fundamentalism than his original prescription entails. He maintains that while his prescriptions were focused on reducing the role of government, he does not endorse market fundamentalism, and hence “believes that his prescriptions, if implemented correctly, would benefit the poor” (Yergin and Stanislaw, 1998, p.237).

However, a foremost critique of the Washington Consensus was Joseph Stiglitz. He detected what he called “an emerging Post-Washington Consensus” (Stiglitz, 1998a). He remarked that the policy, as embodied in the Washington Consensus, had focused too narrowly on pursuing economic growth through the deregulation of the markets – and the consequent need for a new paradigm for development (Stiglitz, 1998b). Fundamentally, Stiglitz advocated a shift to what he termed a Post-Washington Consensus, basing his intervention on two points viz:

- (a) That while the Washington Consensus correctly emphasized the need for macroeconomic stability, trade liberalization and getting prices right, its policies were sometimes misguided in these areas. He remarked that the policies failed to recognize the need for complementary measures to ensure sound financial regulation and an effective role for the state in areas such as human capital formation and technology transfer; all of which are essential for making market work.
- (b) That the Washington Consensus confused means (privatization and trade liberalization and a nominal increase in GDP) with ends (a more sustainable, equitable and democratic growth which brings about a general increase in wellbeing) (Parkins, nd, p.2).

Stiglitz therefore dismissed the simplistic analysis of the Washington Consensus and remarked that development involves trade-offs and real political choices- that cannot be resolved by technocratic intervention. Thus, “he argued for a new consensual participatory form of development strategy defined through dialogue among donors, the State and civil society that will serve as a catalyst for society-wide social changes” (Parkins, nd, p.3). Also, Stiglitz argues “that such a strategy must simultaneously develop the private sector, the state, the community, the family and the individual, in a coherent, interrelated way, by setting priorities and providing the necessary resources, economic management, knowledge, sectoral planning, and social and organizational capital” (Parkin, nd, p.3). Appreciating the important role of government and social sectors in sustainable economic growth and development, Stiglitz (2006, p.2) outlined some of the key requirements for the Post-Washington Consensus, as follows:

- (1) Strong Anti-trust and Anti-monopoly laws
- (2) Strong government, transport with an effective and accessible judicial system.
- (3) The active promotion of the idea that people are the key to economic success but are the product of that success via the following:
- (4) Strong social safety nets (such as those in Nordic countries) that support individuals and allow for entrepreneurial risk taking.

- (5) Investment in both primary and higher-level education and research and development.
- (6) Access to credit at all levels and to all sectors of society, and redistribution of funds to combat inequality.

Drawing from the foregoing analysis, the Post-Washington Consensus is largely a combination of development artifacts; a third-way type challenge to neo-liberalism on the basis of innovative mainstream economic analysis, combined with an attempt to incorporate the fundamental ideas of modernization paradigm into the heart of development policy making on the basis of 1990s participatory rhetoric. Parkin (1999, p.3) rightly noted “that the Post-Washington Consensus is an attempt to receive the largely dormant idea that development is about providing a real transformation through (State) interventionist policies”.

### **Building Nigerian Consensus: A Prognostic Analysis**

We need to emphasize that the bane of development in Nigeria lies largely on ignoring internal transformation catalyst that impel the human elements to productive action. Thus, by taking refuge under received development models/prescriptions successive leaderships appear to adopt what Stiglitz (2003, pp.33-40) called ‘one-size-fits-all’ treatment of individual economies.

The prevailing scenario lay above citations have laid bare the fundamental defects associated with development pills dished out to the economies of developing states. While not dismissing these development strategies in its entirety, we make bold to state that the “one-size-fits-all” treatment regrettably discountenance the specificity of local conditions including local resource content; local human resource potentials; physiological and psychological motivations of the leaders and the led; quantity and the quality of the supporting institutions; internal alliances; capacity of the production potentials; evolving political coalescence among the constituent nationalities; existing socio-cultural affiliations; as well as the prevailing and acceptable pattern of social production and reward system.

In addition to the above, advanced capitalist economies created and institutionalized in developing economies a conservative, self-destructive, unproductive, intellectually convulsive and unrepentantly rapacious and unabashed neo-colonial class whose primary occupation is idleness; and whose motivation is largely rooted in appropriation, misappropriation and shameless stealing of public wealth. This class creates personality cult in political leadership of their respective “self serving political kingdoms/fiefdoms;” and hence derive their political positions, not from the mandate of the electorates rather from their subservience to local and advanced capitalist interests.

In fact, most political leadership in developing economies function as automated receptive machines, that garbage in all development pills that originate from advanced capitalist economies and hence garbage out a regimented alien development strategy that contradict with internal development conditions. Indeed, the Washington Consensus is one of such development pills advanced to all

economies in Latin America. According to Rodrik (2006, pp.3-4), “the development strategy failed to stimulate sustainable development in Latin America. He also noted that the Latin American recovery in the first half of the 1990s was very short-lived; and that there was less growth in per capita GDP in Latin America than in the period between 1950 and 1980”. Indeed, Argentina, “the poster boy of the Latin American economic revolution” came crushing down in 2002.

Reviewing the amazing successes of India and China, Stiglitz observed that despite their unorthodox approaches to development (in the case of India, their lack of free trade policies at the time of their growth). Stiglitz also highlighted the importance of the meaning of success. He questioned the way the Washington consensus and other accords have judged a country as either successful or not, noting that monitoring the GDP of a country does not reveal whether or not economic development has benefited the country as a whole. He therefore “cited the example of the United States, where the GDP was increasing, but where jobs are stagnant and the average income has dropped by over 1,000 USD” (Spang, 2006, p.1).

Perhaps, the financial catastrophe that befalls some Latin American economies after romancing with the Washington Consensus and in compliance with the warning signal illuminated in the Post-Washington consensus, gave rise to the success story, as articulated in “The Chile Consensus.” Munne (2004, p.2) noted that “the failure of neo-liberal reforms in Latin America during the 1990’s was due to their advocates’ inability to recognize the inexorable identity between a market economy and rule of law”. Thus, he succinctly puts that:

advocates who implemented and backed governmental programs like Carlos Menem in Argentina (1989-1999), Fernando Collor de Mello in Brazil (1990-1992), Alberto Fujimori in Peru (1990-2000), Carlos Andres Perez in Venezuela (1989-1993) and Carlos Salinas de Gortari in Mexico (1988-1994), among others, did not and could not contemplate the Chilean democratic experience that started in 1990 due to their misunderstanding of the analytical identity between market economy and Rule of Law.

Following the empirical comparisons between the economic performance of Chile and Argentina, especially between 1990-2002, Munne (2012, p.1-8) observed “that the Chilean experience in 1990 shows that what is needed for a market economy to be sustainable and to grow stronger in the medium and long-term, is a Rule of Law that guarantees certain predictable rules that, in turn, must be backed up by a basic ***consensus among relevant political players***”.

Interestingly, most political leaderships in developing economies have begun to appreciate the need to indigenize received development strategies. In fact, World Bank (2005) had surprisingly admitted that more than a decade into the transition (adoption and implementation of the Washington Consensus) many developing countries are still in the woods. It noted that Sub-Saharan African economies failed completely to take off, in spite of significant policy reform, changes in the political and external environments, and continued heavy influx of foreign aid. However, it

noted that only Uganda, Tanzania and Mozambique showed some success, but remained fragile.

As a corollary to the above, the World Bank (2000) remarks that by 2015, the number of people to be living under \$1 per day in Sub-Saharan Africa will escalate to 753 million while more than 2 billion people will be living below \$2 per day by 2015. The pecuniary situation is as well critical in Nigeria. According to Sala-i-Martin, et al (2009:40), in the global competitiveness index 2009-2010, involving 133 economies:

Nigeria is ranked 99<sup>th</sup> this year, down five places since last year... Nigeria's economy is characterized by weak institutions (ranked 102<sup>nd</sup>) including a serious security problem (117<sup>th</sup>), high levels of corruption (112<sup>nd</sup>), and government spending that is perceived as wasteful (120<sup>th</sup>). It also receives poor assessments for its infrastructure (127<sup>th</sup>) as well as health and primary education (132<sup>nd</sup>).

After a critical analysis of the deteriorating economic situation in Nigeria we hereby state as follows:

- (a) The adoption of liberal and neo-liberal development models in Nigeria especially the Washington Consensus was ill-timed. In fact, the only thing we consider wrong with the Washington Consensus as it concerns its adoption is that Nigeria has no productive economy where the Washington Consensus prescriptions could be applied. Hence the Consensus is relevant in economies that have attained a modicum of complementarities and institutionalized productive sectors.
- (b) The existence of political corruption is merely a symptom and not the cause of underdevelopment; indeed, political corruption signifies that the political leadership lacks the initiative, competence and drive to guarantee effective, efficient and judicious utilization of public wealth for productive purposes. The existence of institutionalized mechanisms for appropriation and misappropriation of public wealth is a symptom that there exist political leaders with jaundiced disparaged intellectual *tabula rasa*, and people of low mentality with high and rapacious appetitive residues who masquerade as "village headmasters" and hence perceive leadership as regimented monarchical acquisition. Thus, their obscured and mangled thinking faculties made them to unconsciously fan the ember of corruption as a means of soothing the nerves of their equally ignorant accomplices and hanger-on.
- (c) The adoption of Joseph Stiglitz's 'Post-Washington Consensus by political leadership in Nigeria will at best have a little impact in enhancing sustainable development in Nigeria. Post-Washington consensus rightly emphasizes the central and critical role of the state in advancing development. However, this will only occur in economies where the state is differentiated and dissociated from the socio-economic competitions; where the state is not part of the class struggle; where there is a clear distinctiveness between the state and the government; and where institutions of the state are entrenched and thus not appropriated and used for self-regarding interest. In Nigeria, where the state

is anything but neutral and autonomous; state intervention will rather tantamount to brazen intervention and exclusion of majority by few economic notables who personify the state.

- (d) As demonstrated by the Chilean success story, the rule of law is critical to the advancement of any given society. However, this occurs where there is a strong legal framework that is independent of the other organs of governance. In Nigeria, talking about the rule of law in economic management is akin to “condemning the political leadership to perpetual incarceration”. They represent and ride the law like a horse. Thus, in a seeming situation of lawlessness arising from super structural decay, the substructure is sure to thrive on confusion.

### **Nigeria Consensus: Expectations and Challenges**

This paper identified the following as the basic elements to be considered in instituting potent Nigerian consensus: economic diversification (industrialization), electoral reforms, strong state, indigenous development and collective consensus.

#### **1. Economic Diversification**

Notably, the industrialization of Nigeria is a national strategy to the diversification of the Nigerian economy. The Nigerian model emphasizes a highly industrialized Nigeria with the private sector as the major player in economic planning and development and in which the inhabitants have one of the highest standards of living in the world. Unfortunately, the vision does not tally with actual observation of industrial Nigeria. As a fact, many industries established by the Federal Government and Private Sectors clustered within Kaduna, Lagos, and Kano Metropolis have become nearly extinct; especially the textiles industries and support factories; causing rising unemployment and security risk.

Although the Nigeria economy is said to be structured on the basis of resources generated from sectors including oil/energy sector, agriculture, manufacturing, forestry, general merchandise, tourism, ocean and marine resources, and freshwater resources, the economy is heavily dependent on export of crude oil for foreign income. Despite that Nigeria is endowed with an expansive arable land for agriculture and about 2.7 Billion Tons of coal and lignite, 31 Billion Tons of tar sand which constitute the highest natural resource reserve in Nigeria, closely followed by natural gas and crude oil. Also, Nigeria is believed to have an estimated 124 trillion cubic feet (Tcf) of proven natural gas reserves - 9<sup>th</sup> largest in the world, yet, attention has been focused, shortly after independence, on crude oil production (EIA, 2001). Due to a lack of gas utilization infrastructure, Nigeria currently flares 75% of the gas it produces and re-injects 12% to enhance oil recovery. But the development of the natural gas sector is intended to stem this wastage as well as further expand the government’s revenue base.

Nigeria produces about 2.2 million barrels of oil per day (mbpd). The country ranks among the top ten in the production and exportation of oil. The export of oil accounts for about 95 per cent of Nigeria’s export revenues and over 80 per cent of

the Federal Government's revenues. Apparently, Nigeria depends very much on oil sector which has been described as a machine that powers the economy of the country. It follows therefore that any policy towards reduction in consumption of oil by its international customers will not only affect the revenue generation but will also lead to further decline in the general standard of living of the population. For now, use of fuel wood for various purposes has been particularly intensive for many reasons ranging from poverty to lack of availability of other energy resources.

Nigerian government has made some diversification attempts in the past. Hence, Establishment of the Nigerian Export-Import Bank (NEXIM) in 1991 as an export credit agency with the broad objective of attaining overall export growth as well as structural balance and diversifying the composition and destination of Nigerian exports; In 1991, the Federal Government promulgated Nigeria Export Processing Zone Decree No 34, Later, Export Processing Zone located in Calabar was established. Enacted Policy to stop gas flaring by the year 2008; established stiff penalties for gas flaring; the introduction of import duty drawback which allows importers to claim repayment of the import duty paid on raw materials used in producing export goods; manufacture in bond scheme which allows the clearance of imported raw materials for use in export production without repayment of import duty; in 1990, the Act establishing the Nigeria Export Promotion Council (NEPC) was passed. It was later established with the major role of provision of grants to exporters for export expansion; Engaged in joint-financed projects with focus on reduction or elimination of gas flaring – The Nigeria Liquefied Natural gas (NLNG) Company in Bonny, Rivers State which began production in late 1999; establishment of Federal Ministry of Solid Minerals whose mandate consists exploration and exploitation of solid minerals; complete overhauling of existing hydro-power plants to boost electricity production.

However, these initiatives have been constrained by lack of capital for investment in the energy sector; lack of capital to purchase new equipment and repair the obsolete ones; inadequate national capacity in energy planning and management; capacity development to harness maximally the hydro-power potential of the country ; inadequate technology to develop domestic energy resources through intensive exploration, research and development; and capacity and technology needs to explore the use of nuclear energy for peaceful uses in industry, agriculture, medicine and electricity generation.

Meanwhile the failure of these initiatives were expected as government failed to promote an industrial culture whereby large scale industries depend on medium and small scale ones for their parts and components; create an environment conducive to both local and foreign investments; increased subsidy on agricultural production in order to increase agricultural productivity for export. Hence, economic diversification in Nigeria which should focus on exploration and exploitation of tar sands on a very large scale in the country can be undertaken; ensuring that petroleum associated gases can be exploited to cater for both local and international markets; restoration of extensive coal and lignite mining; construction of more and effective hydro-power plants with effective network distribution systems can be another important source of

revenue generation in the country; encouraging Independent Power Producing (IPP) companies to be involved in power production to boost available energy availability; rehabilitation of the existing generating power stations of the National Electric Power Authority; undertaking small scale hydro-power projects to cater for the needs of rural population and promoting accelerated development of solar energy and other renewable energy technologies.

Hence Ikeme (2011), remarks that despite the huge implication of climate change response measures for Nigeria's economy, it is appalling that there is no visible demonstration of the preparedness of the government to tackle this issue. Hence, Nigeria is yet to highlight the importance of evolving a development strategy geared towards "sowing the income from fossil fuels", in order to achieve sustainable long-term economic development. This should include revitalizing the agricultural sector, ensuring that manufactured export business remains profitable, ensuring that exporter attain international competitiveness, making foreign markets penetrations possible and developing regional markets. Also, the infrastructural base should be developed to accommodate this, in such areas as roads, railways, telecommunications and power-generation. Again, the Standards Organization of Nigeria (SON) needs to intensify its efforts in maintaining good quality of Nigerian products. There is need for research and extension services for farmers and manufacturers. There should be technological development. Following the Korean approach to technological development, government should promote foreign technology imports, however, this technology must be blended with autochthonous technological inputs promote research applicable to industrial and agricultural needs, develop and acquire top level scientists and engineers and internationalize Research and Development.

## **2. Electoral Reforms**

Do the right thing first by reforming the electoral system so that people's vote will begin to count. Presently Nigerians lack confidence in the electoral process as they are compelled to vote without choosing. This virtual portend danger to the survival of the country. In fact, marauders, kidnappers and economic saboteurs capitalize on the scenario to hold the masses captive and hence drag the 'Nigeria' ship 'closer to the point of precipice.

## **3. Strong State**

Encourage the development of a strong state, with strong institutions that will monitor and advance the new "Nigerian Market" towards competitiveness; while at the same time protecting the weak from the pervasive consequences of emerging trusts, cartels and monopolies. The final goal of all trusts, cartels and monopolies must not be to pauperize the citizens but to utilize the economy of scale towards reduction in prices of commodities; offering employments and advancing the course of corporate social responsibility. Enthroned political leadership that will emphasize production –develop, expand and diversify the productive sector and imbue in the populace the attitude of production rather than distribution, consumption and profligacy.



#### **4. Indigenous Development**

Combining orthodox developmental strategies with the basic ingredients of Washington Consensus (such as fiscal discipline, tax reform, interest rate liberalization, liberalization of FDI inflow, and privatization) would produce undesired outcome if contextual factors are not prioritized. All development strategies must take into account local needs, local conditions and level of development of the productive forces. The consensus, while accepting the basic principles of the liberal and neo liberal development agenda must necessarily aim first at satisfying the consumption needs of the population. Development must be regionalized and coordinated at the national level. FDI should be encouraged only if it is directed at enhancing the basic needs of the people.

#### **5. Collective Consensus**

Finally, the consensus should be based on the principle of collective Consensus of all stakeholders. Henceforth development strategies should be built on the tripod of the village-town-local government bottom-top planning and coordination. Again, Federation Account should be channeled only for local government-initiated capital projects. After five years support and weaning period, each local government should be made to assume full responsibility of off-setting recurrent expenditures. More importantly Nigerian consensus must be based on collectivization of agriculture and public-private partnership in “need-based industrialization”.

#### **Conclusion**

The paper examined the basic content principles of the Washington and Post-Washington consensus. We *inter alia*, observed that a new beginning is indeed possible. We observed that building a Nigerian Consensus from the intellectual carcass of the Washington and Post-Washington Consensus is desirable if we: appreciate the strength and limitations of these consensuses vis-à-vis the internal ecological/strategic endowment of Nigeria’s political economy; re-launch our developmental priorities in line with the needs of the domestic economy; and encourage production rather than distribution of material values; think more about domestic needs and less about the needs of the extends environments; decentralize governance at the regional levels and **promote** strong states structures at these levels to serve as drivers for sound transmutation; Pressure deliberate state policy arrived at de-peasantizing the psychic motor and mental apparatus; and more fundamentally, institutionalize very strong legal institutions dispassionate enforcement of the rule of law.

In the above lie the key to enthroning a potent Nigerian Consensus whose primary task is sustainable human capital development; advancement in the production forces and optimal utilization of the benefits derivable in cultural secularization and social atomization.

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## **Governance, Security and Elections in Africa: Insights from Theory, Policy, and Practice**

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### **Abstract**

*The news about the interface of governance, security and elections in Africa has been a mixed one over the decades. This calls for more, not less, rigorous attention to this interface in its theoretical, policy and practical dimensions. This paper addresses this task, long recognized but relatively neglected in relevant scholarship that tends not to be fully grounded in African-derived experiences, with a view to highlighting insights germane to these issues in the everyday lives of African peoples and their societies. Against this background, the paper suggests that Africa's future can then be better secured and sustained through the deepening of democracy beyond official commitment to economic liberalization and the rituals of liberal democracy. What would be required, according to the paper, is a deep commitment to the institutions, values and practices for popular and participatory democracy and people-oriented development that would bring the people to the centre of democracy and development and focus not only on civic and political rights but also on the pursuit of economic, social and cultural rights for all African peoples.*

**Keywords:** Governance, security, elections, democracy, peace

### **Introduction: When theory meets with policy and practice**

The ebb and flow of the tide of African affairs from the early 1990s till now, separated by almost 30 years, have brought with them their own share of good news in matters pertaining to governance, security and elections. An apt description of the 1990s crafted in the afterglow of the moment (Sisk and Reynolds, 1998:1) has this to say about those heady days:

In the 1990s, nearly all of Africa's fifty-four states have undergone dramatic political changes. Whether through transitions from war to negotiated peace agreements, through guided reforms to multiparty politics, or through battlefield victories that swept rebel movements into power, the stereotypical African one-party state - a common pattern of politics since rapid decolonization and independence began in the early 1960s - is a relic of the past.

Fast forward to January 2019; and a special report by the Washington DC-based Africa Center for Strategic Studies (Siegle, 2019) lists a total of 24 national elections scheduled for that year in many African countries, with one (Guinea Bissau)

scheduled to have two (legislative elections on March 10 and presidential election on November 24). The general perception of elections as instruments of political change, guided reform, conflict management, consensus building and regime stabilization appears to have been largely consolidated.

Alas, it has not all been good news for Africa from this difficult terrain of governance, security and elections, and even the publications cited above are quick to underscore this point, highlighting the mixed record of Africa in this regard (Sisk and Reynolds, 1998:1-7; Siegle, 2019), and pointing to this record as the basis for focusing more, not less, attention to this interface with a view to better examine the linkages of governance, elections, security, and related matters of democratization, peace, conflict generation, management and abatement from case to case.

The central argument of this paper, in endorsing this call for nuanced action, is that there is a need for further domestication of the theoretical and policy foundations of effort to understand the major interfaces of governance, security and elections not only in regard of the African continent as a whole but also with reference to the specificities of the historical and contemporary experiences of the various African countries and regions. This is a task long recognized but equally relatively neglected in African and global scholarship about Africa in their considerations of the fundamental bases of the predisposing factors and forces for insecurity and conflict on the continent in the context of elections and governance, given the preponderance in this matter of perspectives not fully grounded in African-derived experiences and insights.

In this regard, it is apposite to note that, as long ago as the mid1980s, the cream of African scholarship gathered under the auspices of the United Nations University, motivated by the increasingly more apparent fact (Mushakoji, 1987: ix-x) “that the different world regions had themselves to find the ways and means to guarantee their own peace and security, beyond the crisis management intervention of external powers” through measures “devised with a better knowledge of regional realities, not only military but also political, economic, and socio-cultural” that would “take full consideration of the specific values and interests of the nations and peoples concerned”. The result was a seminal regional event that led to a book (Hansen, ed., 1987) that sought to provide African-sourced answers to such questions as: Can the issue of peace be separated from the struggle for democracy and social rights? What meaning can peace have unless it contributes to providing people with the material conditions necessary for genuine development?

In his contribution to this discourse, respected political economist Okwudiba Nnoli (1987:215-232) underscores the need for a grounded, historical approach to the complex requirements for peace, development and security in Africa. Such an approach, cognizant of the historical sociology and political economy of the contemporary stage (Nnoli, 1987:232) of the lived experiences of the African peoples, stretching from pre-colonial to colonial and postcolonial contexts, offers a more comprehensive understanding of the present and a better grasp of the future (Cooper, 2005; Abrahamsen, 2003: 189-210; and Adebani, 2017: 65-87; and his reading of the seminal Ekeh, 1975:91-112).

### **Insights**

The background to all this is of course the persistence of western intellectual hegemony in the theorizing and crafting of policy, and by extension the shaping of practice, on the interfaces of governance, security and elections and related matters in Africa, as in much of the other realities that constitute the everyday life of Africans and those who govern over them. The rest of this section outlines the contributions of both these hegemonic and African perceptions to the framing of these matters, including the extent to which, even for the hegemonic interests, the ensuing engagement has been a learning process for all. The section also draws some insights from all this germane to the envisioning of a better understanding of the complexities that surround governance, security and elections in Africa.

Without getting bogged down by the debate on the origins of governance as a concept, or who first used it in the contemporary conjuncture or with reference to Africa, it is safe and instructive to indicate that one of the earliest to use governance in the context of Africa was the World Bank in its 1989 landmark report, entitled, *From crisis to sustainable growth*. In the report, the Bank set the tone for what has come to be known as an approach that places emphasis on the legalistic, formal, technical and economic understanding of governance as a handmaiden and adjunct for economic (and then political) liberalization when it declared that:

Efforts to create an enabling environment and to build capacities will be wasted if the political context is not favourable. Ultimately, better governance requires political renewal. This means a concerted attack on corruption from the highest to the lowest level. This can be done by setting a good example, by strengthening accountability, by engaging public debate, and by nurturing a free press. It also means fostering grassroots and non-governmental organizations such as farmers' associations, co-operatives, and women's groups.

Three years later (World Bank, 1992), the Bank clarified its understanding of governance in the context of its experience in its development work since 1989, defining it as the manner in which power is exercised in the management of the economic and social resources of a given country for development and further went on to add that good governance is synonymous with sound development management rooted in four pillars consistent with the Bank's mandate, namely, public sector management, accountability, legal framework for development, and information and transparency.

Two years later (World Bank, 1994), the Bank sought to dispel any doubt about the focus on economic matters in its conceptualization of governance, even while underscoring the inherent contradictions in its position in this regard. In the organization's words (World Bank, 1994:vii):

The World Bank's interest in governance derives from its concern for the sustainability of the programs and it helps finance... In analyzing governance, the World Bank draws a closer distinction

between the concept's political and economic dimensions. The Bank's mandate is the promotion of sustainable economic and social development. The Bank's Articles of Agreement explicitly prohibit the institution from interfering in a country's internal political affairs and require it to take only economic considerations into account in its decisions.

While there have been variations in matters of detail (cf. Healey and Robinson, eds. 1992; Arndt and Oman, 1999; Mkandawire, 1999; Kaufmann, Kraay and Lobaton, 1999; Fukuyama, 2013; Chabal, 2009:1-15; Joseph, 1999; 2013; Hyden, 1999; Kerman and Mallouk, 2002), the World Bank's position as it evolved captures much of the western perception of governance issues in Africa and much of the rest of the developing world. It is much closer to the perception of those who find themselves in power, and less to that of the opposition, human rights activists, NGOs, ordinary folk, and academics of the more radical hue. It does not adequately address questions of the travails of power, its structure and distribution as well as its social, economic and cultural bases and inequalities in essence and access, democratic participation, and active citizenship. In generally putting more emphasis on the governance requirements for economic development, the perspective has led to situations in which relatively less attention has been paid to the governance requirements for social, political and cultural dimensions.

To be sure, the World Bank in the period leading to its pronouncements on governance beginning in 1989, did seek the opinion of noted African academics, but this input could not fully sway the institution from its mandate enough to pay proper attention to the non-economic, non-formal and non-technical dimensions of governance, although it did ensure that the Bank's initial near-exclusive focus on economic matters was thus tempered. As the story goes (Alemazung, 2012:8),

According to the head of United Nations Research Institute for Social Development (UNRISD) Thandika Mkandawire.... (i)n contrast to normal practice at the time, the World Bank sought the advice of African experts, including Ali Mazrui, Claude Ake and Nakhtar Diouf in preparing the report. These experts and many other African counterparts believed that the development problems in Africa were inalienable with problems dealing with governance and the relationship between government and the people—the social contract. Since then international institutions and aid agencies have continued to define the concept of government according to their area of focus, thereby creating many variations as to what good governance actually means.

This has provided one context in which the interfaces of governance, security and elections in much of Africa have witnessed hiccups and much incoherence at best, with contradictions between the focus by the dominant local and global interests on economic matters and that of focus on political and other re-mediations by



oppositional elite and popular forces from below in face of harsh economic, political, human and cultural rights and exclusionary climates. The ensuing struggles for people's well-being, rights, and freedom have played out at the political, cultural, identity and allied terrains in the face of lack of meaningful economic performance and a largely non-inclusive political, social and cultural atmosphere, thus raising the stakes of elections and the security consequences therein.

One of the most perceptive analyses of security in recent African experiences that offers a historicized understanding of these contradictions that surround the subject and allied matters is that offered by Nnoli (2006). First, we are made to see how the colonial experience largely positioned the colonial state and its law-and-order institutions of pacification and oppression and, subsequently, the successor post-colonial state in Africa and its own law-and-order institutions, at the centre of security with the primary responsibility of protecting the state and the officials of the state and secondarily as the official guarantor of the African peoples and their societies. This making of the security terrain into an exclusive preserve of and for the state and its functionaries, and the defining of security principally in militaristic and forcible terms, was of course no thanks to the tendency of the post-colonial elite in the various African polities to inherit rather than disrupt the legacies of colonial rule.

As a result, a tendency has been entrenched to prioritise military and security expenditure over and above such other expenditures as those for health, the environment, education, support for employment generation, food, housing, and basic infrastructure, among others, in a context in which security is now being seen increasingly less as a military/forcible matter and more as a human security or quality of life issue. One consequence of all this has been another set of contradictions, in the sense that the more that has been devoted to military/security expenditure, the less often has been the attention paid to human security matters as indicated above that could help ameliorate harsh living conditions of the populace, improve their life conditions and address the social and economic conditions that predispose to insecurity in a more determined manner.

At another level, in this historical composition, it is acknowledged that there were instances in which local forces and factors played a major role in state building in Africa, and in some instances such role even predated western colonial intrusion into Africa (Herbst, 2000). However, it is also important to note that the colonial state in much of Africa was indeed also constituted in its present form largely by external forces of colonization typified by metropolitan western state and civil society (Young, 1994), unlike in much of the west where the state was largely constituted by struggles from within western civil society. Concomitantly, although the emerging colonial state sought to absorb the whole of colonial society into the colonial enterprise with the instrumentalities of colonial rule to facilitate the imperial goal of plunder and exploitation, in actual fact much of the colonial territories remained effectively out of the reach of the colonial order. This twin reality of the subjection of the emerging colonial state to extra-African interests even at its constitutive stage at the same time that much of colonial society was largely out of control of the imperial

order for much of the period of colonial rule was to have consequences in the post-colonial epoch.

For one, the boundaries of the post-colonial successor states in Africa became a major factor in insecurity for the fact of their artificiality (dividing peoples often of the same ethnic stock into different countries and turning them into cross-border communities) and porosity. Second, the challenges of state incapacity in terms of extracting loyalty and obedience from the whole of society as well as wielding monopoly of the legitimate use of violence in this regard meant that at no time has the state been able to guarantee for itself meaningful sovereignty over all of society. These two consequences of colonial rule, exacerbated in the post-colony by misrule, have led to situations in which the post-colonial state has had to grapple with external and internal sources of insecurity, especially at moments of crises when the sovereign power of the state is called into question. Within and across borders, as actors become more complex at the state and non-state level, now including bands of terrorists, religious extremists, and criminal gangs, among others, the interconnections between extra-state and intra-state threats, often strengthened by new technologies of violence and communication, have become stronger and more complex.

The emphasis on force under colonial rule helped to develop a state system whose main character placed premium on the acquisition, retention and expansion of political power, often by all means necessary, and that lesson was again not lost on the successor local political elite at independence. It was no wonder that by the time the colonial inheritance started to unravel soon after independence in the form of failed elections, suppression of opposition groups and peoples in the post-colony, the ruling elite had easy recourse to the repressive forces of the state, and were in turn themselves removed from office through non-constitutional seizure of power by the military. As indicated above already, this signposted the weakness of a force-based regime of elite security. As examples such as that of Somalia have shown since the late 20<sup>th</sup> century, repression is not a sustainable instrument of security, even in societies that are more or less homogeneous. In the absence of meaningfully inclusive politics that works to strengthen elections and other processes of mass representation and political participation, even homogeneous societies, and indeed more so divided societies, would mobilise along newly created and/or long existing social cleavages to challenge the hegemonic order, with much untoward consequences for state and socio-cultural coherence and stability (Eifert, Miguel and Posner, 2010: 494-510).

I find Nnoli's (2006) analysis to be very illuminating in the manner in which it links together history, the nature of the state and that of the political elite and the terrain and nature of their politicking in manners that clarify the sources of insecurity in the way they govern and conduct elections to determine those who govern. A major takeaway from his intervention, complementary to his perceptive anchoring of instability on the nature of the state and the ruling elite in Africa, is his submission, to which I wholly subscribe, that a fundamental consideration in this regard has been the manner in which democracy has been misconstrued and distorted in Africa, with emphasis placed on elections and representations with little regard for popular democracy hinged on the deepening of popular participation and inclusive

deliberation. His call for such inclusiveness is germane to the reinventing of a governance, democratic and electoral process that is meaningful in both form (appearance) and substance (content) and can provide the platform required for sustainable resolution of insecurity in the African governance and political landscape by making it a more inclusive and equitable terrain for all African peoples across the lines of gender, ethnicity, race, religion and age, among others.

Not to address these issues is to ensure that the political and governance landscape may continue to reflect, perpetuate and feed on those divisions and thereby frustrate the attainment of the goals of good governance, widely accepted elections, democracy, and security. What all this calls for is a nuanced understanding of the evolving African experience of this important, complex and fluid interface of governance, security and elections in global, continental, sub-regional country and intra-country levels. To address a complex and ever-changing situation (cf. Abrahamsen, 2007) requires robust theorization fed by rich immersion in empirical data powered by rigorous methodology and effective interaction among various constituencies that speak to one another – academic, policy, and practice.

To be sure, a lot of what is required is to focus on a review of local African experiences that privileges informed local voices and histories without too much of a distortion arising from imposition of constructs derived from other climes in a not too sensitive manner and takes a long term if critical view of governance, elections and security in Africa, reflecting the historical fact that, for instance, the history of elections in those countries now considered established democracies has also been troubled one. For instance, in a very important commentary on western experiences, three noted students of elections in the west (Hermet, Rose and Rouquie, 1978: vii) observe that:

Any careful student of the evolution of electoral institutions in countries that now boast free competitive elections will soon come across much evidence of the extent to which these countries in the past did not meet standards that they now prescribe for other lands.

What are the highlights of insights in regard of such a review? Without seeking to re-invent the wheel, it is apposite to underscore some of these as already itemized in the relevant literature (cf. Sisk and Reynolds, eds., 1998) and as they relate to three broad areas, namely: the role of elections, and matters relating to their organization and timing.

First, it needs to be reiterated that the record of the role of elections is at best one of ambivalence, and the outcome dependent on such other considerations as the quality and nature of overall governance, the nature of the political elite, the strength and inclusion or otherwise of the institutions of regulation, representation, oversight, law enforcement, and adjudication, the quality of political, economic, civic, religious, intellectual, cultural, professional group, and community leadership, among others. Within that context, the interaction among governance, security and elections would be a contingent one, for good or ill, serving as indicated earlier to end raging wars, or to signal the beginning of new ones; to mark a happy high point in political

reforms, or a drift onto the dark terrain of renewed dictatorship; as an instrument of change either ameliorating or exacerbating conflict, social tension, or disillusionment; helping to create and consolidate legitimacy, democracy and peace through providing incentives and platforms for seeking conflict mitigation, or to do otherwise.

In a sense, these issues strike at the core of the utility of elections in the specifically African context. Certain interesting exchanges have been recorded in this regard and a few will be highlighted here. One relates to whether the nature of ethnicity in Africa conduces to the holding of the kind of multi-party elections recommended for the continent. The other relates to the democratic-ness of the wider contexts for governance, security and elections in that same continent, and the extent to which elections have been choiceless, or an ingredient for democracy and peacemaking (Mkandawire, 1999:119-136; Agbaje and Adejumobi, 2006:25-44; Ellis, 1995; Leonard, ed., 2009; Sonare, ed., 2008; Lindberg, 2006; Hermet, Rose and Rouquie, eds., 1978), working more to consolidate the interests of rulers rather than swinging the political pendulum to the side of the people and their own interest as should be the case.

On all this, Garber is quoted as saying (in Sisk, 1998:146) that elections are: the only alternative on the table, or the only alternative that is perceived to be on the table.... It is often hard to imagine how a process that appears so inherently divisive, particularly in societies that have been struggling with violence over a period of time can use an election to resolve their conflicts. Yet in many cases the reality is that diplomats and policy makers and the combatants have no other credible alternative for resolving their conflict than to organize and participate in the electoral process.

On the issue of the quality and goal of democracy and elections in Africa, it is worth noting an exchange between Claude Ake and Larry Diamond that summarises the range of opinion in this regard. Ake (1991:32-44) indicts democratization and accompanying elections as currently constituted as being mere processes for the disempowerment of Africa's populace while Diamond (1995) sees them as part of a process for building effective states and governance on the continent. Two other comments need to be highlighted here: one, from Glickman (in Sisk, 1998:152) and the other, from Baker (in Sisk, 1998:150-151). According to Glickman, the problems associated with elections in Africa should not lead us to abandon them. In his words, registered as long ago as the late 1990s, "we are now in an environment where you just can't postpone mass enfranchisement and elections, because it is not possible. Elections are with us as the way that democracy is seen as inaugurated, and it's the beginning of a long process".

On her own part, Baker suggests that the ethnic-conflict-state collapse conventional wisdom could also work in other directions. According to her,

The conventional wisdom is that ethnic conflict causes state collapse. In Africa, it often happens the other way round, that once the state

collapses, then you have more ethnic conflict (as a consequence of) manipulation of ethnicity by elites. If a political system is structured so that competition for wealth, status, and power must be along ethnic lines, because that's the only way you can be represented, then I think you're playing with fire.

All this obviously underscores the role of intervening variables highlighted above in determining the outcome and quality of the relationship among governance, security and elections in Africa. The two other issues to be flagged in this paper are those relating to the organization and timing of elections, and they also suggest how contingencies, rather than only immutable iron laws, may also be at play in this matter and how pragmatic considerations may offer more space for innovative interventions to help shape the course of history.

In other words, the way elections are organized and their timing do matter. The institutional framing of elections, as well as the nature and provisioning (legal, material, infrastructure, skills) of election monitoring bodies and their key personnel, do matter to the extent that the processes and outcomes of elections cannot be reduced to immutable laws but can also be seen as outcomes of agency having to do with key decisions and agreements pragmatically constructed from elections to elections and during specific elections in line with due process.

### **Conclusion: The future assured?**

This paper has suggested that, on the balance, evidence points to the view that the future of governance, security and meaningful elections in Africa can better be secured and sustained through the deepening of democracy beyond official commitment to electoral democracy and the rituals of liberal democracy. What is called for is a deep commitment to popular and participatory democracy that brings the people to the centre of democracy and is focused not only on civic and political rights but also on the pursuit of economic, social and cultural rights for all African peoples. To create the platform for moving toward this future, however, there is the need to further expand the scope and quality of knowledge on the everyday lives of African peoples in the complex terrain of governance, security and elections, with a view to better appreciate the past and seek lessons from the present for more secure and unambiguous signposts to a future of good governance, security and elections in peace and justice for all.

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## **Governance and Political Crisis in Africa: Implication for Economic Growth and Development**

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### **Abstract**

*The paper examined governance and political crisis in Africa with the aim of establishing that there is a relationship between bad governance and political crisis in most post-colonial states in Africa. The moral and natural purpose of governance consists of assuring on behalf of those governed a worthy pattern of good, avoiding an undesirable pattern of bad. Good governance has been a challenge bedeviling most states in Africa. Several cases of political violence, riots, instabilities or uprising were waves of political crisis occasioned with bad governance. This has a great implication on economic growth and development as resources are expended to seek for resolution, restructuring, rebuilding and reintegration. The paper adopted the qualitative method of research to investigate the implication of the nexus between governance and political crisis for economic growth and development for Africa. The data for the study were collected from secondary sources such as published text, official documents and the internet. The paper adopted the theory of state fragility as its framework of analysis. The theory presupposes that fragile state institution make bad governance and the accompanying political crises inevitable. The paper finds out that the causes of most political crises in Africa are not farfetched from greed, inordinate ambition, and quest for excessive control of political power without understanding the underlying principle of governance. The paper therefore recommends that the citizens, civil societies, political parties, legislative bodies, must act in concert to reinvent ethical values of governance, advocates for strong institutions that would enhance good governance devoid of political crisis. Participatory approach is needed to address the problem of governance in Africa.*

**Keywords:** Governance, Political Crisis, Economic Growth, Development, Implication.

### **Introduction**

The challenges of governance and the accelerating spate of political crisis have become characteristic of the African state. Many African countries have been bedeviled with one kind of political crisis or the other. African countries particularly those of the sub-Saharan region are critical reference points in many of the indicators of bad governance that has become the bane of political instability, political crisis and continual uprisings that have stifled economic growth and development on the continent of Africa.

Realistically, the concept of governance is not new and is probably as old as human civilization. Governance relates to the quality of relationship between the



government and the citizens whom it serves and protects. In Africa, there are a lot of talks regarding to governance and this is meaningful as long as there is accountability, people's right and freedom, and transparency in the daily conduct of the affairs of governance. It is unfortunate but true that good governance has eluded many states in Africa. This has breed inequality, underdevelopment, conflicts and political instability in Africa. The state of governance in most states in Africa has led to cases of unresolved issues such as political crisis orchestrated by mostly political class who has deviated from democratic ethos and principles of good governance. Seteolu (2004:70) pointed out that:

The governing class has been target of pillory, vilification, condemnation and disdain in view of the pervasive and persistent socio economic and political crisis. He further stated that the economic domain has been characterized by huge external debt overhang, net capital flight, collapse of social infrastructure, food crisis and insecurity, pervasive poverty, unpopular, repressive and alienating economic policies.

The staggering wave of political violence, insecurity, increase in crime rate, economic recession, corruption and many others are as a result of bad governance. Governance has become a recurrent issue in any discourse on African project due to its emphasis on effective management of state resources to promote development and service delivery. African countries contribute about 80% to the pool of world's wealth but remained poor. In fact, Acosta and de Renzio (2008) have submitted that aid and rent dependent states tend to wasteful. Countries dependent on free money according to them are prone to mismanagement of resources. So, the problem of the African continent is not absence of resources but lack of appropriate governance framework to harmonize these resources in a way that can gradually bring about development. This lack of appropriate governance framework has made prosperity and poverty, affluence and affliction, development and underdevelopment, security and insecurity to exist side-by-side in many countries of Africa (Ibeanu, 2008; Omeje, 2006, Peter & Ocheni, 2015).

A scrutiny of the World Bank governance indicators for Africa for the period of 2000 to 2015 shows that government efficiency dropped from 28 to 26 percent within the period. Other indicators like political stability and absence of terrorism and control of corruption also fell within the period (World Bank Report, 2000).

It is against this backdrop that the paper interrogates the relationship between bad governance and political crisis in Africa which has great implications on economic growth and development. The paper further provides an insight on how bad governance in Africa has weakened institutions which would have act as checks and balances to ensure effective performance of governance and sustainable development. The manner which some African leaders perpetuates themselves into power and remained there for long without adhering to some of the principles of good governance such as accountability, stewardship, conduct of fair and free election, respect for human right and many others are indications that governance has a great

challenge in Africa. There seems to be a total collapse of ethical governance with the abuse of every moral norm of administration and a loss of conscience towards rightness and objectivism in polity. For example, states like Sudan, Burundi, Cote D'ivoire, Equatorial Guinea, Egypt, Nigeria, Zimbabwe, Mali, Sierra Leone, Liberia to be mentioned but a few once witnessed political crises as a result of lack of ethical values of governance that promotes good democratic principles. The paper is structured into five sections with the introduction appearing at the apex, section two discusses the perspectives on governance and challenges of governance in Africa, section three discusses the theoretical framework, section four examines the nexus of governance and political crisis, section five focuses on the implication of governance and political crisis on Africa economic growth and development. Finally, section six concludes by making useful recommendations.

### **Perspectives on Governance**

Governance has progressively become a major concern for the success of any development initiative. The term is broad and subject to varying interpretations. Governance is referred to as the traditions and institutions by which authority in a country is exercised for the common good. This includes (i) the process by which those in authority are selected, monitored and replaced, (ii) the capacity of the government to effectively manage its resources and implement sound policies and (iii) the respect of citizens and the state for the institutions that govern economic and social interactions among them. (World Bank, 1989).

In his opinion, Adamolekun (2002) views governance as the process of exercising political power to manage the affairs of a nation. He listed the main elements of governance as; rule of law, freedom of speech and association, free and fair election, accountability, probity and transparency and result oriented leadership. Governance means initiating, directing and managing public resources, organizing people, directing subordinates to put in their best to achieve good result in given assignments. It is about ensuring that things are done accordingly, accountability is maintained through the instruments of governance. In the realm of public affairs, governance is seen as the range of policies public officials make and means they employ to manage the affairs of society (Ukaegbu, 2010).

World Bank Report (1989) identifies the crisis on the continent as one of governance. It refers it to be the extensive personalization of power, the denial of fundamental human rights, widespread of corruption and the prevalence of illegitimate and unaccountable government. This view corresponds with the institutionalization of personality cult in governance in Nigeria espoused by Okolie (2008). More so, governance is seen as a set of values, policies and institutions through which society manages economic, political as well as social processes at different levels, on the basis of interaction among the government, civil society and private sector. Governance relates to the quality of relationship between the government and citizens whom it serves and protects (Afegbua, 2012).

Sahni (2003) sees governance from the social, political and economic dimensions. It is seen as one in which the concerned authority if any exercises power,

exerts influence and manages the country's social as well as economic resources leading to better development. The importance of governance entails a process of organizing and managing legitimate power structures, entrusted by the people, to provide law and order, protect fundamental human rights, ensure rule of law and due process of law, provide for the basic needs and welfare of the people and the pursuit of their happiness (Galadima, 1998).

According to Barkan (1992), governance involves less in the way of administrative management and more in the way of political management; with its emphasis on developing networks of reciprocity and exchange, governance increases the possibilities of accomplishing more while spending less. In the view of Ogundiya (2010), governance is seen as the process that is employed to achieve the noble end of the state. He further states that governance is better conceived from Lasswell's traditional definition of politics as who gets what, when, and how and perhaps how much. Thus, governance has a lot to do with the allocation of values in the society, which to a large extent, is political in nature. In another dimension, Adelegan (2009:1) writes that:

Governance is a very complex issue, which to all intents and purposes, gives authority to some people to legally control a country and its people, and be responsible for introducing new laws, administering justice, organizing public services, fashioning regulatory policies, and generally overseeing the conduct of the general populace

Governance is legitimate in a real sense when the government is installed by the people through institutional arrangements that are put in place by the people and when the performance of the ruler is adjudged good and accepted by the people.

Ndehfru (2007) sees governance as a fundamental process through which the lives and dreams of the citizenry are collectively pursued by deliberate and systematic strategies and policies, for the realization of their maximum potentials. He went on to argue that this process is a combination of responsible leadership and enlightened public participation. The type of governance a society enjoys depends on the substance of not only the leaders but also on that of the followers. Indeed, even in a situation where the citizens play spectatorial roles in the society, their participation in watching what is ongoing in the complex society; and their reaction to it would predominantly determine or modify the behavior of the leadership (Dowse and Hughes, 1972). Furthermore, governance is described as the overall manner in which public officials and institutions acquire and exercise their authority to shape public policy and provide public goods and services (de Ferranti et al, 2009).

Kaufmann (2005) for instance identified six major indicators that capture the quality of governance. They are: (i) Voice and accountability: This refers to the participation of the civil society in monitoring and measuring political decisions on civil and human rights (ii) Political Instability: It examines the vulnerability of government to changes through violent threats or unconstitutional means (iii) Government effectiveness: It measures the quality and the competence of civil

servants in service delivery including their credibility as well as the effectiveness of the bureaucratic process (iv) Regulatory quality: It measures whether the policies are friendly to business environment. (v) Rule of law: It measures whether the quality of law enforcement including the police, the courts, as well as property rights are not vulnerable to crime or violence (vi) Control of corruption: It measures the exercise of public power for private gain, including bribery and extortion.

It is very clear that the level of bad governance exhibited by the leadership in most African states has been to a great extent influenced the political orientations of the followers. For instance, in Africa, for other forms of corrupt and related vices to thrive, the formidable solidarity and cooperation of both the leadership and followers must take the centre stage. Most leaders in Africa commit crimes with impunity and walk the street free and even rewarded with higher offices and honors while the followership looks the other way simply because those involved share the same primordial ties or belong to the same religion, group, party and ethnicity with them.

Good governance is a key instrument that oils a sustained peaceful, secured and overall development of society as it's likely to breed peace and provide for security of lives and property, which will in turn create the enabling environment for sustainable development to thrive. Odock cited in George-Genyi (2013:57) states that good governance is "a system of government based on good leadership, respect for the rule of law and due process, accountability of the political leadership to the electorate as well as transparency in the operation of government". He further notes that the full exposition of the theory and practice of good governance hinges on the role played by leadership. A cursory look at his view implies that good governance is an enterprise jointly undertaken by both the leadership and the followers.

### **Theoretical Framework**

The paper adopted state fragility theory as its framework. Literature on state fragility seeks to identify specific traits that characterize countries where states do not respond to the challenges of security and governance within their national boundaries. It addresses a wide variety of questions associated with legitimacy of state institutions, their authority over national territory and their capacity to deliver basic services to the population in times of political and economic crisis. Among prominent scholars of this theory are Collier, Gros, Kaplan, Starr, and Rotberg. They assume that a functioning and legitimate state is a prerequisite for res-establishing peace and security, economic development, and social order as well as democratic development (Collmer, 2009). The centrality of this theory stresses the fundamental failure of a state to perform functions necessary to meet citizen's basic needs and aspiration.

The theory further posits that states in such category are characterized by weakness and incapability of the government in assuring basic security, maintaining rule of law and justice, or providing basic services and economic opportunities for their citizens, curtailing wide spread corruption and criminality. As Rotberg (2003) notes, in a fragile state, there is a tendency for increased criminal violence, which further weakens the state's authority and potential for effective governance. States are usually associated with tensed, deeply conflicted and dangerous warring factions

whom most times lead to breakdown of law and order. Among the features associated with fragile states are the economic and human costs, the threats they impose to regional and global security and stability, a legacy of conflict and weak governance. Evidently, good governance has been a challenge to many states in Africa. To this end, Africa has been notorious for diverse forms of violent conflicts that have continually threatened the possibility of corporate existence of many countries on the African continent.

Most states in Africa are characterized of unrest, violent conflict, poverty, infrastructural decay, low maternal mortality and many others. It is not in doubt that virtually all the indicators of state fragility are evident on the African continent. To this end, it is noteworthy that governance in its entirety is at great jeopardy as all the basic ingredients for good governance are limited in availability or completely nonexistent. The implication of this is the spiraling negative consequence on economic growth and development, increasing spate corruption in all its ramifications, unparallel political instability and weak institutions on the continent. Fundamentally, leadership has been a core challenge in Africa as majority of the leaders in Africa has failed to adhere to the principles of good governance and this in turn has led to vicious circle of governance and political crisis. In fact, as Ake (2003) rightly opines, African leaders do not have development on their agenda. In fact, in the parlance of the Marxian discourse on the state in post-colonial societies, many African leaders see access to state offices as opportunity for primitive accumulation of wealth (Peter & Ocheni, 2015).

Critics to this theory argued that most studies on state fragility are based on uniform, state-centric and simplistic analysis of political institution. They further maintained that the emergence of the discourse on fragile states has not primarily served to meet the needs of population suffering from war situation and bad governance. It mainly reflects strategic and financial concerns shared by a limited number of western governments. Therefore, the rhetoric on fragile states cannot be disassociated from western powers' military doctrines, diplomatic options and economic choices. It could be used to justify forms of political interference in the internal affairs of war-torn or poor countries.

The criticisms of this theory notwithstanding, its utility in the explanation of the peace building and state building interventions is not in doubt. To this end, it is suitable in the explication of the implications of the nexus of governance and political crisis in Africa for economic growth and development. This theory is in direct contradiction to the theory of the developmental state that explains the rapid development of the Asian tigers on the altar of strong state and the development minded governance structure. It presupposes that for African countries to exit the current state of underdevelopment, inequality and poverty, there is need to strengthen state institutions and apparatuses. This must be a deliberate effort of the government and the people, if not the perpetuity of the current shape of bad governance that engineered political crises and economic destabilization will continually leave Africa at the ebb of the three – fold problems of poverty, inequality and underdevelopment.

### **Governance and Political Crisis in Africa: The Nexus**

After many decades of independence of African states, Africa's quest for economic growth and development had only marginal success. This has been attributed to bad governance. Several attempts at explaining the inseparable links between governance and political crisis have generated perspectives such as the effects of good or bad governance on the political system. Governance promotes political crisis where it manifests in corrupt practices, greed, inordinate ambition, quest for excessive control of political power and many others. Bad governance has been understood to reflect a general tendency of a public institution not being able 'to manage public affairs and public resources'. Bad governance becomes more pronounced when a state or government fails to meet the needs of the society even though it makes use of the best of all the resources at their disposal. The issue of bad governance has weakened governance institutions that have resulted to economic stalemate, political apprehensions or crisis and breakdown of social peace and stability. Most political crisis within the regions of Africa has a relationship with bad governance and leadership failure.

In the view of Bissessar (2009), bad governance is regarded as a symptom of institutional and leadership failures, explicitly 'manifested by its long list of dictatorial leaders, non free media and undemocratic elections'. Citing Jespersen; Owoye and Bissessar (1992) note:

Africa performed well in the early years of its independence, but failed in its performance tests past 1973 as the region is now characterized by low growth rates, declining agricultural production, stagnating manufacturing, rising imports, and rapidly expanding external debts... has had many coups, civil unrest, ethnic violence; and widespread bureaucratic corruption alongside administrative inefficiency, and institutional ineptitude or outright failure.

They further note that highly manifest corruption and its related practices have been identified as major constraints on Africa's economic, political and social development. Also, the United Nations Economic and Social Commission for Asia and Pacific cited in Owoye & Bissessar (2009:1) confirm that:

Bad governance includes governments that are ineffective and inefficient, not transparent, not responsive to the people, not held accountable for their actions, inequitable and exclusive to the elites, non participatory; do not follow the rule of law and lacking policies that are consensus driven.

In this vein, Owoye citing Calderisi (2006) maintain that persistent problems of inept leadership, institutional failure, and pandemic corruption as factors of bad governance in Africa. For Calderisi, 'Africa's problem is that it has never known good government..., and no continent has experienced such prolonged dictatorships' (cited in Owoye, 1992). However, agreeing with Owoye and Calderisi, Ayittey (2012) opines that:

Corruption epidemic in African nations owes its existence to the long term tenure of their dictators, and he made this explicit by providing a graphic exposition of a long list of African dictators most of whom have held on to political power ranging from thirty to forty years.

He further maintains that these dictators owe their successes to the effective control on the central bank, civil service, judiciary, the electoral commission, media as well as the security forces. Thus, corruption remains unabated in the continent because 'weak or failed institutions cannot control the excesses of their dictators', due primarily to the fact that they were built on the unstable foundation of bad governance and pandemic corruption. It is noteworthy that the existence of dictatorship on its own is not antithetical to development. Peter (2012) asserts that most of the Asian that attained monumental development did so under dictatorial but developmental regimes.

Political crisis is an uncertain political situation that is expected to lead to instability, unstable and dangerous situation affecting an individual, group, community or whole society. Kew (2006) however notes that one of the major factors responsible for political instability is the failure of the political class to sufficiently adhere to the basic tenets of democracy and constitutionalism. The Burundi political impasse serves as a concrete example in this regards. Nkurunziza in his quest to remain in power and to run for third term, which is alien to the electoral law and constitution of Burundi, succeeded in plundering Burundi into political crisis which cost over two hundred thousand lives and more than four hundred thousand people displaced. This is also synonymous with some African states such as Zimbabwe, Equatorial Guinea, Cote d'Ivoire, Liberia, Sierra Leone, Guinea-Bissau, Rwanda, Kenya, Sudan, Libya, Egypt, Republic of Zaire, Mali and many others whose leaders remained in power for over decades. Such disposition of these African political elites has resulted in political crises with attendant loss of life and destruction of properties and critical state infrastructures. As Harrison (2006:2) has rightly notes, this situation has given rise to abuse of power, brazen corruption, disregard for due process and rule of law, intolerance of political opposition, abuse of electoral process and the weakening of institutions. This contradicts the tenet of governance which presupposes the process of social engagement between the rulers and the ruled in a political community (Adejumobi, 2004).

### **Implications of Governance and Political Crisis on Economic Growth and Development in Africa**

Governance has been identified as indispensable for social change, economic growth and human development of a country (Mangu, 2008). Governance is a broader concept. The changing nature or approach to governance has a greater impact on economic growth and development. In the context of economic growth, governance has increasingly become a major instrument for the successful growth performance. In Africa, governance has been a concern since 1960s when some African countries got their independence (Khan, 2006). Poor governance adversely

affects economic growth which has manifested through corruption, political instability, ineffective rule of laws and weak institutions.

In the words of Khan and Senhadji (2001), poor governance by African countries has led to poor economic growth since it affects negatively investment, productivity, foreign aid and consumption. The inability of African leaders to harness the nation vast resources and reserves towards socio economic development continuously calls to question the composition of the fabric of governance in Africa. There seems to be a total collapse of ethical governance with the abuse of every moral norm of administration and loss of conscience towards rightness and objectivism in policy. It is a truism that the quality of governance in a country directly affects the level of stability, economic growth and development that a country enjoys. Bad governance result to underdevelopment and political instability in Africa (Ologbenla, 2007).

According to World Bank study of Sub Sahara Africa, “the problem of Africa’s development is a crisis of governance’. The World Bank (1989) further affirmed that:

Because of the selfish interest of some state officials, who have served in one capacity or the other and have deliberately refused to give account of their activities while in office, such offices become personalized. Thus, paving ways for unnecessary patronage, which consequently undermine the authority of the leadership. It thus, becomes difficult for a sustainable and dynamic economy to grow in such environment.

For any Government to rule effectively and achieve sustainable development, it has to ensure good governance. Governance depends on a range of factors including administrative capacity, the country’s stages of development, the external conditions that it faces, and the information available to it for taking decisions. The quality and effectiveness of governance enhances the state’s capacity to deal with issues such as problem solving, conflict resolving capacity and the efficient performance of its functions, based on involvement of societal coalition for development.

The prime duty of a state is to protect its citizen, promote growth, sustain development and social justice. Both protection and equity driven development are essential and in order to achieve the goals of welfare, peace and order have to be ensured. Otherwise, proper development is not possible. In most states in Africa, the underlying principles of governance such as entrusting, serve and accountability is absent because of greed, inordinate ambition to continuously remain and control all the paraphernalia of power, low literacy, fickle mindedness of the people and widespread corruption. The fact is that a crisis of governance exists in Africa. Instances of lack of good governance are too many to mention. They are manifested by pervasive corruption, misappropriation of state funds, absence of transparency and accountability, lack of respect for rule of law and reluctance to delegate power to



grass root organizations. The result is propensity of the state to rule but not to govern which signifies inhumane governance.

As demonstrated by many scholars, governance is critical for the establishment of democracy and for democratic consolidation. As observes by Huntington (1991), democracy will spread in the world to the extent that those who exercise power in the world and individual countries want it to spread. The banes of political crisis in Africa are caused by bad governance and the inability of African political class to work in tune with the ethos and democratic principles of governance. This has undermined the political, economic and social system thereby creating vicious circle of crisis which impedes growth and development. To exemplify this are some African countries such as Burundi, Guinea Bissau, Mali, Kenya and many others whom their leaders' decisions or quest to stay in power has caused political crisis.

However, there are some African countries whose leaders have stayed in power for over two to three decades thereby seeing governance as a private oriented position. They are not accountable and responsive to principles of good governance. Though such countries could or may have enjoyed political stability but has challenges of economic growth and democratic choice in making proper representation. This has negative implications on democratic values and development of a political society. For example, Teodoro Obiang (Equatorial Guinea), Jose dos Santos (Angola), Paul Biya (Cameroun), Yoweri Museveni (Uganda), Mswati III (Swaziland), Omar Al Bashir (Sudan), Robert Mugabe (Zimbabwe), if not that he was recently ousted by the military has stayed in power for decades. These countries are considered among the poorest in Africa (Freedom House, 2015). The will of people via periodic free and fair elections have been truncated in these countries. Any attempt to raise a dissenting voice is met with force, intimidation and persecution. At times political crisis that has triggered in these countries were suppressed and squashed by security operatives. However, a scrutiny of the World Bank governance indicators for Africa for the period 2000 to 2015 shows that government efficiency dropped from 28 to 26 percent within the period. Other indicators like political stability and absence of terrorism and control of corruption also fell within the period.

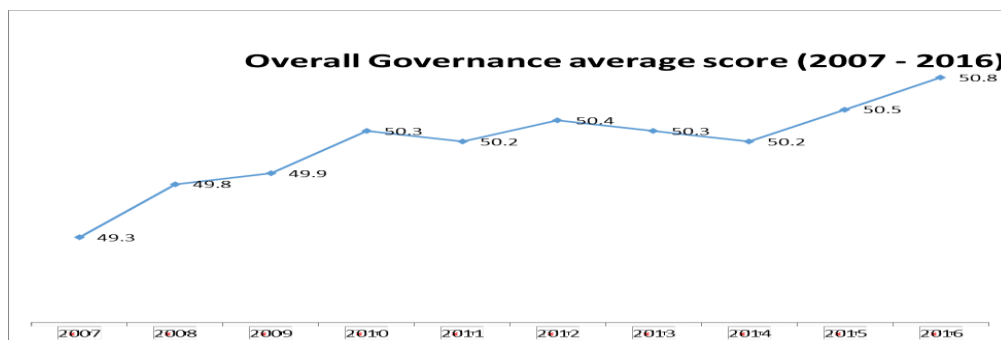


Figure 1: Overall Governance Average Score (2007-2016)

Source: 2017 Ibrahim Index of African Governance, Mo Ibrahim Foundation

Figure 1 above is the overall governance according to the Mo Ibrahim Foundation. It shows that African continent has, on average, been improving in Overall Governance. Looking back over the last decade (2007-2016) the African average score has improved by +1.4 score points from 49.4 (out of 100.0) to 50.8, reaching in 2016 its highest score since the IIAG's first data year 2000. Despite this marginal improvement, the data released by the Foundation indicate that some African countries such as Botswana, Ghana, Mozambique, Gambia, Mauritania, Burundi, Libya, Central African Republic, and South Sudan have deteriorated on governance score.

More so, some African countries went through governance failures and corruption at the same point in time but their governance capacity made them recover and ensure the maintenance of rapid growth performance through constant demands to improve government and reduce corruption. For example, South Africa, Mali, Madagascar, and few others. This could not happen if governance capacity was poor and non-sustainable. The capacity of a country to overcome the challenges of political crisis, which is a mandatory requirement for sustainable economic growth and development is predicated upon the pursuit of robust, transparent and people-oriented governance.

### **Conclusion**

Governance has increasingly become a major instrument for the successful growth performance and development purposes in the world. The paper explored the relationship between governance and political crisis with the aim of establishing that Africa's economic growth and development suffers a set back as a result of bad governance. Also, most political crises witnessed in Africa are not farfetched from greed, inordinate ambition and quest for excessive control of political power by leaders in African states. In the words of Ocheni and Nwankwo (2012:46), this style of governance has orientation passed on from the colonialist who only sought, pursued and harnessed self interest while sacrificing the betterment and good of the colonized. The first and second objective of colonialism is political domination and exploitation of the colonized country.

Significantly, Africa is among the continents of the world endowed with human and material resources that are capable of improving socio economic status and living standards of the people. The inability of African leaders to harness the nation's vast resources and reserves towards socio economic development continuously calls to question the composition of the fabric of governance in Africa. It is a truism that bad governance result to underdevelopment and political instability. It has adverse effects on investment, productivity, consumption, foreign aid, promotes corruption, engendered weak institutions and undermines the ethos of democratic principle of governance which is entrusting and to serve. There is need to reinvent ethical values of governance, advocates for strong institution that would enhance good governance devoid of corruption, political instability, incompetence, sit tight leadership style, lack of accountability, political bickering leading to the enthronement of mal administration and mismanagement of public resources.

Concerted efforts are needed by the public, stake holders and those in governance to improve the performance and integrity of civil services.

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## **Herdsmen-Farmers' Conflicts and Rising Security Threats in Nigeria**

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### **Abstract**

*Insecurity is the fundamental challenge undermining political and socio-economic development of African states. Since 1990s, terrorism, insurgency and religious extremism have been the hallmark of growing security challenges in the continent particularly in the West African Sub-region. In recent time, however violence arising from communal conflicts has gained currency across various local communities in Africa. The violent conflicts involving herdsmen and farmers in some parts of West Africa stands out as one of the most unsettling security concerns in the sub-region. In Nigeria for instance, while the Boko Haram pandemonium predominantly in the North-east part of the country and the increased militancy in the Niger Delta region poses grave security threat to Nigeria, the emerging trend of cattle rustlers and disputes over land use between Farmers and Fulani cattle herders have also disproportionately contributes to undermining Nigeria's national security. The grime cases of these new security threats frequently reported from different parts of the country, have considerably increased the upsetting of the socio-economic and political conditions in Nigeria. This paper examines the rising security challenges in Nigeria, largely relating to communal conflicts and particularly Farmers-Herdsmen conflicts and cattle rustling in the North-west part of Nigeria. The paper offered explanation as to the consequences of the crisis on security and political economy of Nigeria. Qualitative empirical data was obtained from diverse sources such as In-depth Interviews (IDIs) and Documentary Evidences, which was corroborated with existing relevant theories in the literature. For instance, the research revealed that growing number of human and animal population which increased the environmental competitions, coupled with changes in climatic conditions have been the main causes of the communal conflicts. Thus, the paper also recommends that by strengthening the security arrangements for herders and farming communities especially in the north-western zone through improving operational readiness of rural-based police/other security units and encourage communication in collaboration with local authorities will help in reducing the violence.*

**Keywords:** Farmers-Herdsmen, Communal Conflicts, Land Disputes, Cattle Rustling, Security Challenges

### **Introduction**

Any loss of life is a tragedy, and the cost of violence has touched many rural parts of Nigeria. Innocence has been killed, communities have been torn apart, people have been displaced from their homes, and families have

mourned their loved ones (Official Statement of United States Government, 8<sup>th</sup> September, 2018).

Insecurity is the most appalling challenge that different countries around the globe are encountering. The declining phases of security situations globally are gradually taking new shapes and dimensions in many countries in the world. States in Africa and West Africa in particular are becoming susceptible as a result of rising episodes of ethnic and communal related conflicts. The region experienced civil wars and genocide in the late 80s and early 90s with some states conflicts that lasted for a decade (Mohammed, 2015). Equally, the trend of natural phenomena that were connected to climate change has further compounded the security peril amongst the countries in the region. More so, the multifaceted diversity of cultural and religious background was said to be in particular the tiding rise of crisis in Africa. The most common and widespread conflict is communal in nature with alarming devastating consequence. For instance, Farmers-Herdsman crisis has been among the most devastating resource-based conflict in Africa.

In recent times, Nigeria in particular has experienced a significant increase in natural resources conflicts. The clashes between farmers and pastoralist have become worrisome, mainly in wetland areas of the middle belt, west and central part of the northern Nigeria. The conflicts differ depending on the circumstances and situations associated with it. However, the grime nature of these new security threats often reported daily from diverse part of the country have considerably aggravated the already appalling of the socio-economic, political and security conditions of Nigeria. The cases of farmers-herdsmen conflicts are taking new dimension and becoming more volatile in nature. In many areas in the northern Nigeria, the crises have not been adequately explained considering the extent of the violence involved. It is against this backdrop that this paper, examines the causes of rising security challenges in Nigeria, with reference to communal conflicts and particularly focusing on Herders-Farmers conflicts in the North-west part of Nigeria.

### **Background to Communal Conflicts: West Africa**

Africa in general has the creepy reputation of being the world's leading theatre of conflict, war, poverty, disease, and instability. This is certainly true of the turbulent post-cold war period in which, particularly West Africa experienced persistent violent conflicts. Although the conflicts generally have deep historical roots that became more prevalent and destructive in the post-cold war period (Poster, Robinson, Smyth, Schnabel and Osaghea, 2015). Thus, prior to advent of colonial masters, conflicts in Africa were mostly primitive in nature and were mostly battled along the line of tribal segments. In very few areas, it has been fought on side of the religious basis, like 1804 Jihad waged in Sokoto Caliphate. Thus, until the late 1970s conflicts in Africa were primarily anti-colonial struggles or wars against white minority-ruled states (Williams, 2013). However, the conflicts have taken certain dimensions where large and small communities are experiencing regular violence within their societies.

The communal conflicts in some parts of West Africa stands out as among the increasing security concerns in the sub-region. Thus, the recent emergences of pastoral conflicts and religious extremism in Africa has worsened the insecurity situation in the continent. As a result, the continent was rated third among the continents hit by terrorism. In the 21<sup>st</sup> century Africa, the spread of communal conflicts in rural communities by the pastoralists (Fulani-Herders) has reached a staggering dimension to the extent that the threat posed by the increasing activities of the pastoralists is become intractable and insurmountable. Inhabitants of West African countries like Nigeria, rural communities due to the asymmetry in political firmament and internal structural impediments, have been victims of the pastoralist's activities and socio-psychological consequences.

The main genesis of the conflicts is still debatable. The central issues link to the crises are mostly attributed to variety of factors which includes bad governance, poverty, tribalism/ethnicity, land disputes among others. In particular, pastoral and farmers conflicts in West Africa have been persistent as offshoot of continual exploration of lands for farming and pastoral activities. This was also associated to technological improvement and information gained in areas of farming. Expansion in respect of agricultural mechanization coupled with the rising and erratic changes in climate which further heightened the conflicts.

### **Theoretical Discourse on Communal Conflicts**

There are multiple theories that have applied to the explication of conflicts among individuals and group of communities. It is to be noted that almost of the theories explained the context of conflict within the frame of either competition for power/superiority or struggle over limited resources. Theories which provide explanations in relation to communal conflicts includes: Conflict theory; Eco-survivalism theory; Frustration-Aggression theory; among others. For the purpose of this study Conflict theory was adopted as our framework of analysis.

Conflicts theory explains the basis of violence in any sector be it an organized sector or unorganized sector. The theory generally surrounds different social classes or groups. Conflict theory offers a decent analysis that is in line with process-oriented theories in anthropology. The interdisciplinary field of conflict studies aims to explain all kinds of conflicts, from domestic quarrels to international disputes. The field defines conflict generally as “any state in which two or more social entities or ‘parties’ perceive that they possess mutually incompatible goals” (Mitchell, 1981). Conflict theorists describe conflict explicitly as a sequence of interactions. Conflict theory is particularly useful for conceptualizing the problem of herder-farmer conflict escalation because it offers a well-articulated approach to conflict escalation generally. Crucially, reasons for escalation can be located by examining the sequence of interactions to explain why some conflicts escalate and others do not (Kriesberg 2007).

Conflict theorists have offered three general models for conflict escalation: the contender-defender model, the conflict spiral model, and the structural change model (Pruitt & Kim 2004). The models have slightly different foci, respectively



parties, interaction, and psychology, which clearly overlap and complement each other. The contender-defender model describes conflicts in terms of the actions of one party (the contender) who seeks change and the reactions of the other party (the defender). Conflicts escalate, in this model, because the contender uses increasingly more coercive strategies to attain its goals. The conflict spiral model focuses on the interaction between the two parties, in particular the vicious circle of actions and reactions of retaliation and deterrence. The structural change model focuses on psychological changes that take place in the parties as conflicts progress. These psychological changes are the result of escalation but also contribute to further escalation because they reinforce hostile attitudes, perceptions, and behaviors. The psychological changes involve emotions, attitudes, perceptions, and behavior of individuals, for example, the dehumanization and deindividuation of the other. The psychological changes also affect the social dynamics in groups, for example, the development of group goals, enhanced group identity and cohesiveness, emergence of militant subgroups and leaders. The model is called the structural change model because some of these changes are persistent (Pruitt & Kim 2004).

However, there are three primary criticisms of conflicts theory. Conflicts theory tends to ignore the many areas in which most people arrive at the same consensus about important values of life. Both the rich and the poor usually tend to admire hardworking, courteous people. Conflict theorists tend to side with the people that lack social power. Critics says that this violates scientific objectivity. Finally, the focus on economic factors is the sole criteria for all conflict in society. Thus, most conflict theorists today take into account gender, race, ethnicity, age, sexual orientation, and other factors that lead to conflict (Iduwo, 2017:192-193). Notwithstanding, the relevancy of Conflict Theory is inevitable to the study of farmers-herdsmen conflicts.

### **Farmers-Herdsman and Nigerian Economy**

Nigeria is the largest country in Africa, an estimated population of about 180 million (World Bank, 2015). Large percentage of the population is engaged in farming and livestock development. The country has highly diversified agro-ecological conditions, which makes it possible to produce variety of agricultural products. Furthermore, agriculture constitutes one of the most important sectors of the economy. Agriculture in Nigeria employs about 70% of the working population and contributes with about 60% to national income (Ameh; et al, June, 2017). Thus, the abundant lands for agricultural farming in Nigeria, has made the sector major player in the development of the country's economy. Presently, Nigeria has 75% of its land suitable for agriculture, but only 40% is cultivated.

The agricultural sector has been the mainstay of the economy since independence and despite several bottlenecks; it remains a resilient sustainer of the populace. In the 1960s, Nigeria was the world largest exporter of groundnut, the second largest exporter of Cocoa and Palm Oil and an important exporter of Rubber, Cotton (Sekunmade, 2009). Recently, agriculture employs about two-thirds of Nigeria labor force, contributes significantly to the GDP and provides a large

proportion of non-oil earnings (Sekunmade, 2009). Thus, farmer/herdsmen contributions to the development of the Nigerian economy cannot be overemphasized. Studies have shown that livestock production contributed to about 6% of the Nigeria's Gross Domestic Products (GDP). Explicitly, livestock breeders are one of the primary sources of the food in Nigeria particularly for the urban areas of the country. To the extent Fulani pastoralists and herdsmen have been relevant to dietary existence wellbeing of Nigerians (Johnson, 2017).

The Fulani unarguably represent a significant component of the Nigerian economy. They constitute the major breeders of cattle, the main source of meat, the most available and cheap source of animal proteins consumed by Nigerians. The Fulani owned over 90% of the nation's livestock population which accounts for one-third of agricultural GDP and 3.2% of the nation's GDP (Eniola, 2007). Furthermore, the contribution of the Fulani to the local food chain and national food security cannot be overstressed. The Fulani, with their dominance in the Sahel region, are the best known and most numerous of all the pastoral groups in Nigeria. The traditional and unique Fulani encampment (*ruga*) consisting of temporary structures made of stalks, closely knit family members and livestock is the natural habitat of Fulbe settlement (Eniola, 2007).

Thus, Nigeria has an estimated 19.7 million cattle, making it the largest consumer of meat in the ECOWAS, with Lagos as the largest livestock market. Thus, pastoralists contribute immensely to the rural economy - they support their household and supply meat and milk to rural dwellers at even cheaper prices (Mohammed, 2018) 90% of our cattle and by-products comes from pastoralists and contributes between 6-7% of GDP. Agriculture overall contributes to 23% to the national GDP in the country (Mohammed, 2016). Farming and rearing of livestock has continued to be a very common affair. Many communities of farmers and herders have built interdependent relationships with one another through emergent processes of exchange. Such interdependence has often been described as reciprocal, in which the two communities form host-client or host-stranger relationships with one another (Tonah, 2006). The link between two occupations has persistently trigger competitions and conflicts in different communities across the Nigeria.

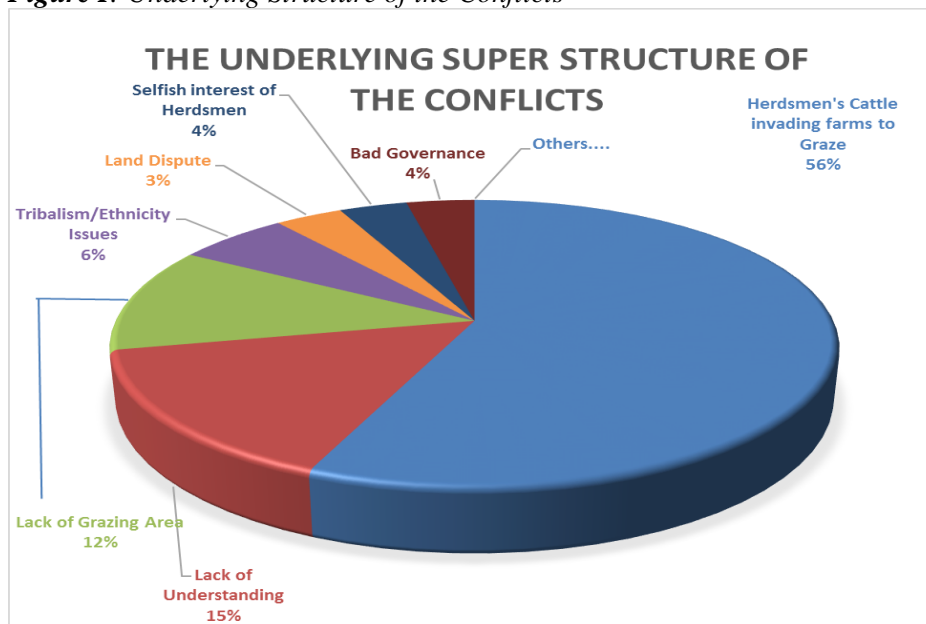
### **Farmers-Herdsmen Crises**

Farmer-herdsmen conflict has remained the most preeminent resource-use conflict in Nigeria (Adisa, 2012). In Nigeria, the Boko Haram pandemonium predominantly in the North-east part of the country with the increased militancy in the Niger Delta region and the emerging trend of cattle rustlers and land disputes between Farmers and Fulani Cattle Rearers have contributed significantly to undermining Nigeria's national security. Though, Farmers/Fulani conflicts have a very long history. Herder-farmer conflicts are complex products of both structures and processes and cannot be explained solely in terms of either (Moritz, 2010). The violent crises between Fulani herdsmen and sedentary farmers in Nigeria do not constitute an alien phenomenon in Nigeria; it is a phenomenon that has been in existence for decades which has resulted in the extensive loss of lives and property.

There have been at least 370 clashes involving herdsmen and farmers in Nigeria in the last five years, compared to just 20 in the 15 years before (Idowu, 2017:194).

Thus, the constant crises have threatened the security of the state, reduced its economic productivity, and deepened food crisis in Nigeria. While there have been several clashes between the Fulani herdsmen and the farming communities for more than two decades, the escalation reached another level in 2014 with the Fulani herdsmen killing 1,229 people in comparison with 63 deaths in 2013. With more than 500 deaths by July 2016 and January 2018 more than 73 persons were given mass burial in Benue State alone. The crises have been commonly credited to Fulani herdsmen expanding from the traditional grazing routes into the agricultural land which in turn always results into crises over access to pasture. The escalation of the crisis has made many Nigerians and international observers including the United States to consider Fulani herdsmen as the second most dangerous group in Nigeria after Boko-Haram group (Tion & Terwase, 2018). The many scholars have linked the violence to ethnic discordance. The farmer-herdsmen conflict accounted for about 35% of violence cases reported daily in the country. Other most affected states in the North are Kogi, Kwara, Plateau, Taraba, and Adamawa. Meanwhile, it has been observed that the underlying structure of the conflicts differs in each affected states. The figure below highlights the differing underlying structure of conflicts in the affected states.

**Figure I: Underlying Structure of the Conflicts**



**Source:** NOI-Polls, April 2016; cited in Mohammed A. S. (2016), *Farmer-Pastoralist Conflicts in Nigeria: Case Studies of Dansadau, Sabuwa and Birnin Gwari Communities of Zamfara, Kastina and Kaduna States: Enable2; Enhancing Nigeria Advocacy for a Better Business Empowerment.*

Before now, the herdsmen have been known to wreak havoc in certain communities in Nigeria, but recently the rate and ferocity of their violent attacks crises has increased exponentially. The tensions have grown over the past decade, with increasingly violent flare-ups spreading throughout central and southern states; incidents have occurred at least in 22 of the country's 36 states (African Report, 2017).

### **Grounds of the Conflicts: Farmers-Herdsmen**

It appears that there is no consensus among both groups as to the causes of the violent conflicts between Fulani herdsmen and farming communities in Nigeria. Mainly, inadequacy of grazing resources, as increasing crop cultivations and poor management of the existing grazing reserves have resulted in a significant reduction in available livestock feed resources, were considered as the main cause of the violence particularly in the Northern states (Adisa, 2012:101). For instances, in Zamfara State more than 500,000 Hectares were provided as grazing reserve for livestock development (cattle routes, and animal drinking ponds). But gradually, the lands were tactically allocated to wealthy individuals mostly for political gains (Classified Documents, 2012). Still, most of the grazing reserves were neglected by both the Federal and States government. This has left no option than to encroach on the reserves for other reasons (See Appendix I).

**Table I:** *List of Grazing Reserves in Zamfara State:*

S/N	Name Of Grazing Reserve	Local Govt. Area	State	Size (HA)	Status Gazetted/ Not Gazetted	Remarks
1	Arsulla	Gummi	Zamfara	4129	Gazetted	
2	Bakin Dutsi	Gummi	Zamfara	5422	Gazetted	
3	Pas	Gummi	Zamfara	3355	Gazetted	
4	Sakida	Maradun	Zamfara	2138	Gazetted	
5	Gidan Jaja	Zurmi	Zamfara	365000	Gazetted	Developed by EEC/
6	Gulbinka	Bukkuyum	Zamfara	150000	Gazetted	
	Total Area Gazetted			530044		More than 500000 ha was gazatted in Zamfara state alone
7	Dangurufa	Bukkuyum	Zamfara	13500	Not Gazetted	
8	Rayau	Bukkuyum	Zamfara	4900	Not Gazetted	
9	Barikinm Daji	T/Mafara	Zamfara	8000	Not Gazetted	
10	Gwaram	T/Mafara	Zamfara	5850	Not Gazetted	
11	Indibula	Anka/Maru	Zamfara	857	Not Gazetted	
12	Bingi	Maru	Zamfara	7220	Not Gazetted	
13	Zuzzurafa	Anka	Zamfara	5567	Not Gazetted	
14	Ruwan Bado	T/Marafa	Zamfara	6400	Not Gazetted	
15	Gazirawa	T/Marafa	Zamfara	1283	Not Gazetted	
16	Gidan Kano	Maradun	Zamfara	1114		

*Source: Adopted from Report of the Reconciliation Committee Between Fulani Cattle Rearers and Farmers in Zamfara State, March, 2014. The details of the encroached areas are attached in Annex I.*

Most of the 415 grazing reserves established by the northern regional government in the 1960s have since been lost. Only 114 were formally documented or demarcated, though the government failed to back these agreements with legislation guaranteeing exclusive usage or take active measures to prevent encroachment. The rest succumbed to pressure from rapid population growth and the associated demand for farmland, were overrun by urban and other infrastructure, or appropriated by private commercial interests. With the Northern region's division into nineteen states, reserves straddling two or more state jurisdictions lost collective management. The cumulative effect has been to significantly reduced the availability of designated grazing reserves, forcing herders to seek pasture elsewhere (*The Guardian*, 30<sup>th</sup> November, 2017).

Correspondingly, the budgetary provision for the development of grazing reserves in Nigeria witnessed inconsistent allocation from 2011-2014. In 2011, the Federal Ministry of Agriculture received N31,404,899,584 for Capital projects, out the amount N310,484,185 only was allotted for National Grazing Reserves and Pasture Development Programme. However, in 2012, N45,009,990,000:00 was channeled to the Ministry, only N930,000,000:00 was made for development of grazing reserves, stock routes (1140km) and resting points across Nigeria. In 2013 it allocated N50,808,871,428. The 2014 and 2015 were N100,130,000 and 39,151,988,128 respectively. The percentage allocated for grazing reserves maintenance and creation further witnessed a decrease (Idowu, 2017). The underfunding provides avenue for the destruction of lands destruction and its encroachment for other uses. Non-maintenance of grazing routes further heightened livestock rearers to desperate search for opportunities for survival of their animals. Zamfara State Elders Forum stated that:

The remote genesis could be traced to long standing history of farmers/herdsmen conflicts due to competition over land resources and pasture. However, the nature and dimensions of these conflicts have transformed into deadly struggles, which given the growing scarcity of land resources coupled with the failure of law enforcement agencies and the judicial system to address the crisis in their contextual dynamics, the situation progressively degenerated into serious and deadly clashes between the different interest groups leading to cattle rustling and destruction of farmlands (Forum, 22<sup>nd</sup> March, 2018).

Generally, farmer-herder crises in Nigeria occur as a result of resource scarcity; there exists a growing scarcity of arable land and water sources that are equally essential to sustain crop cultivation and cattle herds. This scarcity is generated as a result of expansion of farming activities across the country. Farmers encroachment on grazing routes and such have expropriated land designated for grazing reserves, while herders often destroy crops, pollute water sources and trespass on farms to feed their cattle. This has further been exacerbated by the growing population of farmers, herders and their herds, increasing scarcity of arable land due

to droughts, impending desertification of the Sahel-Savannah, land degradation, and cultural differences among ethnic groups that predominantly farm or graze cattle (Fiki & Lee, 2005). Recently, President Buhari stated that “powerful individuals have for many years been encroaching on grazing routes and cattle ranches, an attitude which resulted in the current conflict claiming several lives across the country” (The Sky, Monday, March 20, 2018).

In recent years, the increase in violent clashes across time and space between pastoralists and farmers in rural communities has been attributed to the influx of foreign cattle rearers from Niger, Cameroon and Chad to the North-West corridor which runs from Benin Republic and Niger through Sokoto, Zamfara, Borno and Kwara states, terminating in the South-West. The second route generally more symmetrical when juxtaposed with others in the North-East which runs from Niger, Chad and Cameroon Republics through Borno, Yobe, Adamawa, Jigawa, Kano, Plateau, Nasarawa and terminates in the Niger-Benue Basin. This is the route that poses threat to peace between farmers and the pastoralists in the north central and adjoining states in the South-East (Gbaka, 2014).

The conflict fueled by the war in neighboring Libya and other African countries including unrest in Mali and Niger Republic, the situation resulted in massive proliferation of weapons and infiltration of armed bandits into the state. The situation thus became that of clear criminality characterize by high profile attacks and wanton loss of lives and properties (Shinkafi, 22<sup>nd</sup> March, 2018).

The constant migrations of cattle from the neighboring countries to Nigeria in search of greener pasture is part of desperate measures usually taken by herders to sustain the livestock development. Climate change and over grazing have equally constituted and facilitated crises. Another negative fallout of herder migration has been the proliferation of Small Arms and light Weapons in Nigeria.

### **Issues in Most Affected States in North-Western Sub-Region**

Recently, nearly all parts of country have experienced multiple conflicts related to the herders-farmer imbroglio. However, the Northern side of the country witnessed more incidences of killings as a result of the farmer/herdsmen disputes. The conflict has extended to various segments which includes Cattle rustling and banditry. It has been established that cattle rustling and other form of banditry activities particularly in the North Western states have been transcended from herders-farmers’ conflicts. It would be very difficult to exonerate cattle rustling from the land disputes in the study areas. Thus, Cattle rustling referred to as a new version of the conflicts has been regarded as one of the serious security threats in the country. The conflicts are collective handiwork of numerous kingpins, controlling different gangs and syndicates while exercising dominion over dens and camps scattered throughout forests that crisscross Niger Republic, and Zamfara, Kebbi, Sokoto, Kaduna, Kastina and Sokoto states (Classified Document, 2017). In particular, Zamfara in the North West is the most affected state in the country. Reports indicate

that in 2014, 377 related cases were recorded, about 115 people died in connection to the farmer-herdsmen and other related crises in the state. In 2015, 329 related incidents were attested to which claimed lives of about 325 people (Field Work, 2017). Thus, Zamfara state is the most affected state in Northern Nigeria.

**Table II:** *Farmer/Herdsman Conflicts and other Related Crises in Zamfara State (in some quarters of 2014-2017)*

S/N	Incidents	Cases Recorded	Destruction/Items Carted Away	Lives Lost
1.	Farmers-Herdsman Conflicts/Cattle Rustling	605	Cattle – 28,235 Sheep - 13,112 Camel – 676 Goat - 559 Donkey – 40 Motorcycles – 25	2,416
2.	Armed Banditry/Reprisal Attacks	167	Cash – 722,000 Motorcycles – 43 Cattle – 85 Sheep – 60	22
3.	Extra-Judicial Killing	63	Cattle – 192 Sheep – 64 Cash - N60,000	66
	<b>TOTAL</b>	<b>835</b>		<b>2,504</b>

Source: *Field work, September, 2018*

Sequel to farmers-herdsmen conflicts and other notorious activities of the bandits, a total of 600 towns and villages were destroyed, over 6000 individuals injured, more than 10,500 homesteads burnt, 2688 hectares of farmlands destroyed and 336 vehicles damaged in Zamfara state alone. Similarly, over 10,000 heads of cattle and other forms of lives were rustled with about 200 persons abducted for ransom (Field work, 2018). This ugly trend disrupted economic activities of rural communities especially arable crop farming and livestock rearing, which are very critical to their social wellbeing. Consequently, many settlements were vacated with thousands of people displaced and rendered homeless and jobless.

Invariably, the development was viewed as an act of impunity by the Fulani communities whose several complaints to Government on the selfish attitude of the politicians and the traditional leaders fell on the deaf ear. At that point, Fulani started grazing their animals on cultivated farmlands to express their grievances, especially due to inaction of relevant authorities to take necessary action on their plight. The issue degenerated to some pockets of clashes between the Fulani herdsmen and farmers. Unfortunately, the politicians and traditional leaders while handling the cases appeared to be subtly blaming the herdsmen (Classified Document, 2017).

Before the rising trend of the conflict, the state has estimated livestock population of 3,315,589 Cattle; 6,626,144 Sheep and 5, 067,371 Goats. Thus, the State suffered 21 major attacks unleashed on several villages since October 2011,

which consisted of 2(2011), 5(2012), 2(2013), 2(2014), 1(2015), 3(2016), 3(2017) and 2(2018), involving all the 14 Local Government Areas of the State except Gummi located at the western fringes neighboring Kebbi (Shinkafi, 2018:3).

Likewise, Kaduna State is currently enmeshed in a humanitarian crisis. The southern part of the state has become the epicenter of deadly violence, most of it inflicted by herdsmen on farming communities. This is situated within two wider contexts: Attacks by Fulani herdsmen on farming communities, and reprisals, particularly in the North Central region. Further into the past, the epicenter was Plateau State (mainly the Barikin Ladi area), then Nasarawa State, and finally Benue State. In these areas, whole communities have been displaced, many lives have been lost, and many of the farmers were unable to plant and harvest for years. The main theatre of this violence has now moved from these North Central states into a North Western state, escalating historic tensions in Southern Kaduna. In Birnin Gwari in the Kaduna Central zone, cattle rustling continues to be a major problem, but in the Kaduna South zone, things have gone several notches higher especially as the victims are people, not cattle.

In December 2015, they attacked parts of Southern Kaduna. The Vicar-General of the Catholic Diocese of Kafanchan, Rev Ibrahim Yakubu, said 880 people were killed; 53 villages destroyed, 1,422 houses burnt down and that 18 churches and one primary school were also torched (*The Guardian*, 30<sup>th</sup> November, 2017).

The spread of conflict into southern states is aggravating already fragile relations among the country's major regional, ethnic and religious groups. The south's majority Christian communities resent the influx of predominantly Muslim herdsmen, portrayed in some narratives as an "Islamisation force". Herdsmen are mostly Fulani, lending an ethnic dimension to the strife. In so far as the Fulani spread across many West and Central African countries, any major confrontation between them and other Nigerian groups could have regional repercussions, drawing in fighters from neighboring countries (*The Guardian*, 30<sup>th</sup> November, 2017).

**Table III: Selected Cases of Farmers-Herdsmen Conflict in Kaduna State**

s/n	Date	places	impact
1.	December, 24 <sup>th</sup> , 2016	Gaskia Village, Southern Kaduna	Suspected Fulani Herdsmen killed 11 people, injured 15 people
2.	April, 15 <sup>th</sup> , 2017	Asso village in Jema'a Local Government Area, Southern Kaduna	13 people were killed by Fulani herdsmen including a parish priest Reverend Father Alexander Yayock
3.	July, 18 <sup>th</sup> , 2017	Kajuru Local Government Area in Kaduna	No fewer than 37 people were killed in a violent clash between Farmers/Herdsmen conflict.
4.	July, 18 <sup>th</sup> , 2017	Nothern Kaduna	33 killed in clashes between Farmers/Herdsmen

**Source:** Johnson, I. (2017), "Cattle Rustling, Herdsmen Violence and National Security in Nigeria" Ed. Adejoh, P. & Adisa, W. (2017), *Terrorism and Counter Terrorism War in*



*Nigeria: Essay in Honour of Lieutenant General Tukur Yusuf Buratai.* University of Lagos Press and Bookshops.

Prior to 2016, specific incidents, most of them localized or religious, were the motivating factors for the violence. Many of those involved in the violence were locals and could trace their grievances to those specific issues. The current violence however, is clearly retribution over lost cattle and for grazing land by the Fulani. According to Ahmed El-Rufai, many of the perpetrators are not locals, but Fulani herdsmen that had to be tracked down to other West African countries (Report, 20th January, 2017).

In Kastina state, hundreds have been displaced from their homes, villages and forced to seek refuge in the neighboring communities (Mohammed, 2016:8). Farmers/herdsmen conflicts have for many years remained the most teething problems bedeviling the people of southern part of Katsina state especially communities surrounding the dreaded Rugu forest. Rugu forest spanning over 220KM has been the most volatile area. The forest is also backbone for the illicit trade of animals. A renewed effort in the last eight months as promised by state government were about N300m was so far expended and fast restoring hope to the already impoverish communities in Faskari, Safana, Danmusa, Jibia, Dutsinma and Bakori (Shehu, et al, 2017).

**Table IV: Statistic of cattle stole and herders killed in Katsina State**

S/No	Affected LG A	No. of Cattle Rustled	Herders Killed
1	Sabuwa	506	13
2	Dandume	155	6
3	Danmusa	70	9
4	Safana	390	11
5	Batsari	340	4
6	Faskari	247	12
7	Kankara	82	5
	<b>Total</b>	<b>1798</b>	<b>60</b>

*Adapted from: Shehu, S. A. (2017) IOSR Journal of Research & Method in Education, Volume 7, Issue 6 Ver. VIII (Nov. – Dec. 2017), PP 40-47 www.iosrjournals.org.*

The communities have for long been bearing the brunt of the violence. Recently over 100 lives were killed in the related violence in just one daring attack in Faskari and Sabuwa local government areas of the state. A statistic shows that from July-December 2015 about 11,989 animals were recovered out of which 9,221 were returned to their rightful owners. Eight thousand, six hundred and seventy-six (8,676) of the recovered animals are cows, 2,623 sheep, 571 goats, 55 camels and 74 donkeys. Also from January to date, 3,509 animals were recovered and 4,028 have been reunited with owners (Shehu, et al, 2017). Nearly 160 people massacred at layin Galadima, Maigora and Maraban Maigora villages in 2013, dozens killed by the Fulbe bandits (Mohammed, 2016). Whereas other states in the sub-region like Kano, Kebbi and Sokoto equally experienced similar cases of farmers-herdsmen conflicts.

Thus, the levels of the violence are not comparable with the issues in Zamfara and Kaduna states.

### **Repercussion to Nigeria's Social and Economic**

Generally, herdsman and farmers' clashes disrupt and threaten the sustainability of pastoral farming and crop production (Moritz, 2010). These clashes reinforced circles of extreme poverty, and hunger, and destroy social status, food security and affects mostly the already marginalized groups that included women and children of a teeming population like Nigeria. The conflicts have created a vicious cycle of poverty in many communities and affected the education of children leading to obstacles in their development and mass displacement (Imo, 2017). For instance, in Zamfara state insecurity has not only adversely affected the economic activities and the means of livelihood of the people but also farming which is the major source of livelihood has been abandoned and communities deserted due to fear- and is fast destroying the social fabric of the communities; destroying basic human values, the consequences of which are too frightening to contemplate (Forum, 22<sup>nd</sup> March, 2018). The situation has greatly crippled investment opportunities of the state. Movement of goods and other agricultural product is no longer possible. In Zamfara state about 493 grains silos burnt to ashes and over 4,600 bags of assorted grains were either looted or vandalized as a result of the crises (Field Work, 2018).

A lot of killings by the nomads and reprisal killings of nomads by the host communities took place during the conflicts. Herds of cattle belonging to nomads were also killed. This has reduced agricultural labour force in such areas which pose huge challenges for the rapid growing of Nigerian population. During the clashes, there were reported cases of proliferation of small arms and ammunitions since the host farming communities and the herdsman saw each other as archenemies. This is inimical to the spirit of integration of Nigerian tribes or ethnic groups and peaceful co-existence (Imo, 2017).

With regards to the causes and effects of perennial between herdsman and farmers in Nigeria Mercy Corps (2013; 2016), a global humanitarian organization funded by the British Department for International Development (DFID), revealed that the incessant attacks have huge cost and effects on food security and caused a loss of \$14 Billion in three years. Apart from thwarting the country's economic development to a considerable level other economic impacts of these clashes include impeding trade practice, reducing crop yield, displacement of farmers, loss of lives and properties, loss of products in storage and destruction of public and private buildings. It becomes glaring that if nothing is done to avert this ugly situation, the achievement of food security and sustainable development become a mirage (Imo, 2017). For instance, in Kastina state, peasant farmers were reported to have lost between 50-75% of their annual productive capacity in 2016 (Mohammed, 2016).

Herder-farmer conflict not only have direct negative impact on the lives and livelihoods of those involved, it also disrupts and threaten the sustainability of agricultural and pastoral production in Nigeria. Ignoring these clashes is unwise because local conflicts may escalate into "real wars", argues Richards (2005:14), who

writes that “Burkina Faso may well be at the brink of ethnic violence along the “occupational boundary of farming and herding (Mortitz,2010:138). In the light of the frequent clashes by the migration of herdsmen to safe areas of the country, government should as a matter of urgency examine the crisis by providing institutions of peace resolution and conflict management in vulnerable communities to critically inquire and tame the crisis. Cattle ranching proposed by the government was seen as the best approach and method.

The farmer/herdsmen conflicts have further worsened the security situations in the country. The security condition in Nigeria has become enormous and embarrassing to government (Robert-Okah, 2014). Nigeria in recent times has witnessed an unprecedented level of insecurity. No wonder, national security has become an issue for government, prompting huge allocation of the national budget to security (Robert-Okah, 2014). The emergences of farmer/herdsmen conflict and cattle rustling have compounded the security challenges in the country. In the North-West in particular different communities are experiencing assortments of security challenges ranging from land disputes between herdsmen and farmers. Meanwhile, it has been predicted that the future security threat of farmers-herdsmen conflicts in Nigeria may include the internationalization of the act (Johnson, 2017:361).

### **Conclusion and Recommendations**

The security challenges emerging from the farmers-herdsmen conflicts have worsened security conditions in Nigeria. Escalating conflicts among two groups could potentially generate more bloodshed on even wider scale unless drastic measures and the task of ending the violence is pushed up the national priority ladder. Failure to respond, decisively and effectively, would allow Nigeria to continue sliding into increasingly deadly conflict.

As part of the efforts to curtail the crises across the country different governmental and non-governmental institutions have devised many strategies to respond to the conflicts. Though some of the responses are term to be less effective in addressing the security challenges in many affected states in Nigeria, for instance, in Zamfara state, the government has strengthening the security formations through the activities of the Department of Careers and Special Services, intelligence gathering and formation of relevant State and Government Committees. The “Operation Sharan Daji” was formed in collaboration with other north-western states of Kaduna, Kebbi, Sokoto, Kastina and Niger to embark on joint operation to flush out Fulani bandits. The Federal government also intensified security formation in the affected areas. In Zamfara state, the conflicts led to establishment of 223 Battalion in 2013, 207 Air Force Quick Response Unit in 2016 and 1 Brigade Nigerian Army in 2018. Similarly, the joint Disarmament and Reconciliation process formed by the north-western states which succeeded in recovering over 3000 different types of arms comprising of machines guns, AK 47 and 49 rifles, pump action guns, locally made pistols, revolvers, dane guns and ammunition. Equally, the process led to the death of notorious Fulani bandits Buharin Daji in March, 2018 (Classified Documents, 2018).

Despite all the efforts the challenges remain largely undiminished, requiring and required more dedication from all governments in the country. Poor funding of the security sector in the most affected areas has worsened the problems. Currently, virtually all the security operations are being funded by the state governments of the volatile areas with no or little financial support from the federal government. Thus, there is need for total review of security funding in this aspect to ensure effective and efficient security provisions for the violence. Also, the federal government needs to evolve effective policy framework that would allow State Governments to engage local vigilantes to work along with security agencies as a means of public participation and bridging deficiency of personnel.

In addition, strengthen security arrangements for herders and farming communities especially in the north-western zone for the governments and security agencies sustain campaigns against cattle rustling and rural banditry; improve early-warning systems; maintain operational readiness of rural-based police and other security units; encourage communication and collaboration with local authorities; and tighten control of production, circulation and possession of illicit firearms and ammunition, especially automatic rifles. This would entail strengthening cross-border cooperation with neighboring countries and also providing adequate modern arms and other security and communication facilities required to fight bandits.

**Appendix I: Estimated Areas Encroached in Zamfara State**  
**ESTIMATED ENCROACHMENT IN KAURA NAMODA ZONE**

Names Of G/R	Location	Total Area (HA)	Est. Encroached Area (HA)	Percentage Encroached
Sakajiki/Yan kaba	K/Namoda	876	719	98%
Zamfara G/R (Gazeted)	B/Magaji/Zzurmi	360,000	128562	35%
Shanawa/Bingabale, Mania, Gujema	Shinkafi	57020	12449	99%
Kwashazbawa/Myasa	Zurmi	6720	3420	51%
	TOTAL	424616	145150	33%
<b>ESTIMATED ENCROACHMENT IN T/MAFARA ZONE</b>				
Names Of G/R	Location	Total Area (HA)	Est. Encroached Area (HA)	Percentage Encroached
Brikin Daji	T/Mafara	500	2400	30%
Gazirawa	T/Mafara	128	38.4	30%
Sakida (Gazeted)	Maradun	4600	2604	56%
Damri	Bakura	5760	5760	100%
Gidan Kano	Maradun	1114	1114	100%
Manasa Gora/Janbako	Maradun	4600	Nil	0%
Gwaram	T/Mafara	5850	2720	46%
Gidan Bado	T/Mafara	6400	3520	55%
	TOTAL	33452	18157	54.3%
<b>ESTIMATED ENCROACHMENT IN GUSAU ZONE</b>				
Names Of G/R	Location	Total Area (Ha)	Est. Encroached Area (Ha)	Percentage Encroached
Daza	Gusau	650	572	88%

Kwaha	Bungudu	568	397.6	70%
Yarkusa/Maisheka	Gusau	1225	612	50%
L.I.B.C. Kwatrkwashi	Bungudu	200	200	100%
Wonaka/Mada	Gusau	5496	4946.4	90%
Ajja	Gusau	5650	5650	100%
Gidan Giye	Tsafe	2720	1632	60%
Gulubba	Bungudu	1220	1220	100%
Mutunji	Maru	4960	3224	65%
Bingi	Maru	7220	6498	90%
Dutsin kwatangir	Tsafe	5786	5207.4	90%
	TOTAL	35696	30169.4	855
	TOTAL	142810	819877.4	57.4%

### ESTIMATED ENCROACHMENT IN GUMMI ZONE

Names Of G/R	Location	Total Area (Ha)	Est. Encroached Area (Ha)	Percentage Encroached
Gulbin Ka	Anka-Bukkuyum	150,000	107682	71%
Indumbual	Anka	857,000	55570	53%
Zuzzurfa	Anka	5567	5010	90%
Bagega T/K Udaku	Anka	2149	2149	100%
Malankara/Gamo	Gummi	1495	1345	90%
Dan Bici	Gummi	2040	2040	100%
Arsullah (Gazared)	Gummi	4129	2477	60%
Bakin Dutse (Gazeted)	Gummi	5432	5432	100%
Pas (Gazeted)	Gummi	3335	2334	65%
Dan Gurunfa	Bukkuyum	13500	12150	90%
Rayau	Bukkuyum	14900	13410	90%
Adabka	Bukkuyum	13000	8950	68%
Nannarki	Bukkuyum	12000	7851	65%
	TOTAL	934547	626401	67.8%

Source: Report of the Reconciliation Committee Between Fulani Cattle Rearers and Farmers: Submitted to Zamfara State Government, March, 2014

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## **Two Decades of Democratic Rule in Nigeria: Interrogating the Gaps between Failed Dreams and Inflated Expectations, 1999-2019**

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### **Abstract**

*The return to democratic rule in 1999 brought hopes and aspiration to Nigerians at a very high level. The air of definite optimism was for a nation born to progress under democratic rule after 16 years of military rule. But after two decades of uninterrupted democratic rule, human hopes and expectation which seemed to have reached to their zenith in 1999 have fallen to the very nadir of despair. It is against this backdrop that this paper interrogates the gap between the inflated expectations and failed dreams in the two decades of Nigeria's democratic rule; 1999-2019. This paper shall attempt to interrogate two decades of democratic rule in Nigeria within three (3) themes. These are: Two decades of Democratic Rule in Nigeria and general elections; economic reforms and insecurity. This paper is intended to achieve the following objectives: to ascertain the socio-economic situations in Nigeria before the return to civil rule; to assess the two decades of democratic rule under three broad themes; to assess the impacts of democratic rule on the overall social wellbeing of the people between 1999-2019. This paper is anchored on the social welfare theory of rights of Jeremy Bentham and John Stuart Mill. The paper adopts an explanatory design for analysis and relied on some empirical data generated through observation and official documents and also on secondary sources of data which were analyzed using a descriptive method. The findings of this paper has shown that between 1999-2019, Nigeria's democratic rule has focused more on the procedural, minimalist and processional conception of democracy at the expense of the maximalist which is expected to bring about fundamental transformation of the life of the people. It also reveals the failure of democratic rule to perform their twin responsibilities of protection of life and properties and the promotion of people's welfare. The paper recommends a strong and vibrant civil society as requirement for sustainability of democracy and massive investment in the provision of basic needs of the people which must include the need for personal safety and security, employment opportunities, development of infrastructural facilities such as good roads, electricity, water, hospitals, schools, etc.*

**Keywords:** Democratic Rule, Elections, Governance, Insecurity, Social welfare

### **Introduction**

The worldwide wind of democratic change otherwise described as "Third wave democratization" that blew across the entire world starting in the later 1980s but culminated in democratic rule in Nigeria in 1999 was tagged "a second independence movement" (Osaghae, 1992). While the first independence movement involved



political independence from erstwhile British colonial masters, the second one involved liberation from the oppressive and authoritarian military regimes that have dominated Nigeria's political scene for 16 years after the collapse of the Second Republic (1979-1983).

The return to democratic rule in 1999 was accompanied with the euphoria, excitement and optimism that at last there would be qualitative transformation of the lives of the people after long years of military rule. Surprisingly, after two decades of uninterrupted democracy, the reality on the ground has shown crisis of dashed expectations shrouded with failed expectations and dreams. After two decades of uninterrupted democratic rule (1999-2019), there is an inherently endangered complexity of continuity and discontinuity arising from the inability of democratic leaders since 1999 to guarantee assured welfare for the people.

Critical to the sustenance of Nigerian democracy is the creation of an appropriate environment in which the basic needs of Nigerians are adequately met. These basic needs can be grouped into those dealing with security, liberty, justice, public welfare, happiness, dignity and identity. Since the return to democratic rule in 1999 after 16 years of military authoritarianism, the high expectations of the Nigerian people that the newly installed democratic rule would create a citizenry imbued with a strong sense of self-reliance and control over their own lives in such critical areas as food, shelter, education and health with a view to alleviating their poverty and underdevelopment seemed to have yielded little results. This is against the backdrop that as far back as 1994, Leys (cited in Audu, 2017, p.77) stated that in Sub Saharan Africa, most people are facing a future in which not even bare survival is assured...out of a total of about 500 million, nearly 300million are already living in absolute poverty. This number has not only increased in geometric terms but aggravated in terms of the ratio of poverty to the staggering growth in population to the extent that Nigeria is now known to be the world capital of poverty.

This paper therefore, investigates the gaps between inflated expectations and failed dreams in the two decades of democratic rule in Nigeria; 1999-2019. This paper is intended to achieve the following objectives. To ascertain the socio-economic situations in Nigeria before the return to civil rule in 1999; to assess the two decades of democratic rule under three broad themes such as general elections, economic reforms and insecurity; and finally, to assess the impacts of democratic rule on the overall social wellbeing of the people between 1999-2019.

### **Theoretical Discourse - Social Welfare Theory of Rights**

This paper is anchored on the Social Welfare Theory of Rights. This theory is associated with the utilitarian school of thought led by James Bentham and John Stuart Mill. They postulate that these rights are essential conditions of social welfare. The state should therefore, set aside all other considerations and recognize only such rights are designed to promote social welfare.

The Utilitarian School led by Jeremy Bentham (1748-1832) and John Stuart Mill (1806-73), postulated the greatest happiness of the greatest number as the sole criterion of legislation and recognition of rights. Among the contemporary proponents

of this theory are Roscoe Pound and Chafee. To them, law, custom, natural rights, etc should all yield to what is socially useful or expedient. Rights should be determined by the balance of interest under the prevailing social conditions. All men desire happiness, which may be defined as the surplus of pleasure over pain. It is the responsibility of government to promote happiness, individual and social. It emphasizes that all actions must be judged by their result, by their fruitfulness in pleasure and this pleasure must find actual expression in the lives and experience of definite individuals. According to Bentham (as cited in Appadorai, 1975, p.43), let the state act to remove disabilities; in so doing the rulers would be forwarding the welfare of their subjects. But if the authority failed in this purpose, they could claim no rights of sanctity.

Social welfare theory seems to be very relevant and reasonable as no theory of rights can be held valid until it serves the cause of social justice. This theory, to Gauba (2003:291) eliminates the subjective, ambiguous, dogmatic and static criteria. What makes Bentham and Mill stands out as the most famous Utilitarian according to Stumpf (1966, p.356) is that they more than the others, had succeeded in connecting the principle of utility with many problems of their age, thereby providing nineteenth century England with a philosophical basis, not only for moral thought but also for practical reform. For more than a hundred years, the moral and political philosophy of Jeremy Bentham and John Stuart Mill influenced the thinking and practical political actions of England from which we also borrow a lot for political and economic system. This has impacted most contemporary societies in their democratic and economic reforms designed to improve the social welfare of their people. But again, it presents practical difficulties. For instance, who will define what is social expediency or social welfare usually are elite to advance free market society which resulted in the oppression of the working class.

Philosophers of the 17-18<sup>th</sup> Centuries asserted that inalienable rights are God-given natural rights. These rights are not destroyed when civil society is created and neither society nor government can remove or alienate them. To this end, Akpuru-Aja (2008, p.1) had noted that the chief end of any government is to provide and guarantee the welfare and security of the people against internal and external threats or violations of the rights to life, liberty and property. According to Amartya Sen as cited in (Nnoli, 2006), freedom is increasingly seen to be both the primary and principal means of development.

Consequently, modern state is built around (5) five pillars. These are justice, human rights, people's sovereignty, empowerment and accountability. Whenever these pillars are in a wobbling state, lack of national cohesion and a more-or-less state of disunity and turbulence and a trouble prone co-habitation have been the commutative fallouts. Democracy has been conceived as providing mechanism for addressing some of these challenges. This is because democracy is founded on respect for the human being-every human being. As such, the test of democracy is the inalienable right of the people to be free and exercise freedom. Democracy is a set of ideas and principles about freedom, which also comprises a set of practices, procedures that have been forged through a long and often different history. In short,

democracy is the institutionalization of freedom (Jibrin, 1999, p.13). According to Jackson (1999), my understanding of democracy is according to international law: human rights, self-determination, and economic justice. These have broad applications all over the world. People everywhere favours human rights, international law, self-determination and economic justice. Beyond voting, there must also be economic growth. It is in the economic that you have health and peace.

In terms of relevance to democratic rule, Bentham (as cited in Stumpf, 1966, p.370) had put his faith in democracy “as the great cure for social evils in as much as in a democracy the interests of the rulers are the ruled”. Hence, the only purpose for which power can be rightly exercised over any member of a civilized community, against his will defined in terms of rights, is to prevent harm to others.

### **The Return to Democratic Rule in 1999 and the Accompanying Expectations and Dreams**

Since the end of cold war in 1989, many countries overwhelmed by authoritarian regimes have evolved democratic system that comes with hope of political stability, social rebirth and economic restructuring. According to Okechukwu (1999), the return to democratic system “should make Nigeria one of the countries of the future, a strong member of the global community that is truly committed to the democratic principles and basic tenets of justice and a nation like South Africa that would be in the vanguard of championing Africa’s political, economic, social, moral and technological advancement through renaissance

The year 1999 remains remarkable and epochal in the social, political and economic history of Nigeria. On the one hand, it marked the end of the 20<sup>th</sup> century which was characterized with woes and cries amidst unprecedented discovery and progress in science and technology, democratic governance which was seen by many as a threshold of hope in the march towards national integration and unity, collective prosperity and opportunity for Nigeria to assert herself as a respected member of the global comity of nations both politically and economically (Umaru, 2011, p.227). On the other hand, it marked the beginning of a phase in the history of economic reconstruction in the country whereby the new political leadership demonstrated a transparent political will and near total commitment to implement to the letter, a reform agenda which emphasized on liberalization and private sector led development strategy (Umaru, 2011, p.228).

The ultimate goal of every economic policy is to create better access to means and standard of livelihood for the people for whom these endowment exist and to continually improve on their life chances (Ariyo, 2006, P.2), which often comes in form of increases in national output, employment generation, stabilization of prices and selling the most of the export trade. The management of the economy did not yield appreciable result in the area of social welfare such as job creation, poverty reduction and particularly in health, education and water provisioning. Instead, education and health care service have now become the preserve of the rich. This ought not to be so. Visit our public schools and hospitals and you will almost regret being Nigerian. You would need to make qualitative education and health service

available and affordable for all. How we have fared in these two decades of democratic rule shall be examined under three basic themes.

### **Thematic Interrogation of the Gaps between Inflated Expectations and Failed Dreams in Nigeria, 1999-2019**

#### **i. Two Decades of Democratic Rule and Economic Reforms**

The framework and contents of the economic blueprint of the democratic government was well articulated and expressed in the National Economic Empowerment and Development Strategy (NEEDS). The document outlined the vision, values and principles of the new economic agenda. The document outlined wealth creation, employment generation, poverty reduction, and value orientation as its main goals. NEEDS had the overall targets the empowerment of the people through the provision of health, education, environment, integrated rural development, housing development, employment generation, youth empowerment and provision of social safety nets, gender and geographical balance (Umaru, 2011, p. 228).

Before the inauguration of democratic rule in 1999, the UN's latest Human Development Index which was released in September 1998 ranked 174 countries and grouped them in three categories of High, Low and Medium Human Development. According to Carrington (1999, p.13), only the Island of Mauritius and Seychelles were listed among the 64 High Human Development countries. Six African countries, Botswana, Cape Verde, Namibia, South Africa, Swaziland and Zimbabwe were included among the 67 classified as Medium Human Development. The rest of sub-Saharan Africa languishes among the 44 ranked Low Human Development. Indeed, the bottom 15 are all African. Shockingly, Nigeria which is OPEC's 6<sup>th</sup> largest producer of petroleum, is the only member of that cartel to be ranked among the world's poorest. Out of the 174 countries, Nigeria was ranked 142<sup>nd</sup>. To put this in proper perspective, Albania, the then Europe's poorest country was ranked 105, which is 37 places above Nigeria.

Two decades after this disgusting report, and after experiencing uninterrupted democratic rule, the situation has not changed neither. This was corroborated by the latest World Bank report which portrays Nigeria's economy as slipping since 1995 and continuing through 2018. The World Bank using a descriptive taxonomy, (a scientific process of classifying things) identified several variables such as financial and macroeconomic variables and the level of income per capita, structural transformation as demonstrated by sectoral value addition and share, sectoral employment share, capital flows, and public sector indebtedness. Government effectiveness, regulatory quality, control of corruption, voice and accountability, political stability, absence of violence, and the rule of law, complete the list of variables factored into the World Bank Report. These variables were further grouped into three terciles in the other of Top tercile, Middle tercile and Bottom Tercile as presented below with their description.

**Table 1: Showing Tercile categorization**

SN	Categorization	Characteristics of each Category
1	Top Tercile	An improved and established economic performance with the growth rate of above 5.4%.
2	Middle Tercile	If the economic performance did not change relatively, it get stuck in the middle
3	Bottom Tercile	The Bottom tercile is characterized by a country's economic performance that has declined between 1995/2008 and 2008/2015

Source; Audu (2019), Field Study.

In addition, poor governance has made us to be too poor to do anything and secondly, there is enough money to go round the country and make life worth living, but corrupt practices do not allow us to share in the national wealth (Deepa and Patti, 2002, p.91). The ultimate test of the survival of democracy is good governance characterized with rapid transformation of the life of the people. According to Yaqub (2000), the key governance problems which have faced Nigeria for many years are lack of democracy, transparency and accountability. The Nigerian socioeconomic woes and political woes are being exacerbated by the endless and disastrous insecurity of lives and property (Lewu, 2019).

**Two Decades of Democratic Rule in Nigeria and Economic Reforms**

According to Uya (2000, p.7), poverty is the principal obstacle to democratic development and that the future of democracy anywhere depends on the future of economic development. The dialectical link between poverty and democracy was aptly captured by former president Obasanjo when he asserted that “Democracy will thrive when poverty in all its facets, is eliminated or drastically reduced. Poverty, on the other hand, will be on the run when democratic practices and ethos become the order of the day”. This was corroborated by Lewu (2019) that poverty and underdevelopment can create a brutish and violent society.

One of the concrete realities that we cannot deny of these nearly two decades of uninterrupted civil rule is that as a country, we have underperformed relative to our natural and human resource endowment. Recently, Sanusi (2018) noted that Nigeria and Democratic Republic of Congo will house 40% of the world’s poorest people. He added that, if every country continues its present trajectory, by 2050, 80% of all the poor people in the world will live on the African continent. It is more frightening that 40% of this population will be in Nigeria and the Democratic Republic of Congo.

The return of civil rule in 1999 is also accompanied with neoliberal economic reforms which to a large extent are not essentially exogenous in conception but have also conspicuously failed to deliver on the dividends of democracy. As Chole (1992:4) has noted:

What latitudes exist for regimes that have been brought to power by broad social movements but are literally coerced unto implementing

programmes that set them on a collision course with those forces on the backs of which they rode to power?

The test of government according to Bryce cited in (Yio, 2012) is the welfare of the people. The standard of merit of any government can be judged by the adequacy with which it performs the chief functions of government. The protection from internal and external enemies, the security of justice, efficient administration of common affairs and the bestowal of aids to individual citizen in several occupations. Since the return to civil rule in 1999, the growth performance of the Nigerian economy stands on the average rate of 7% but this has not translated into appreciable decline in poverty in Nigeria. Since the return to civil rule in 1999, the growth performance of the Nigerian economy stands on the average rate of 7% but this has not translated into appreciable decline in poverty in Nigeria.

From the foregoing therefore, it can be said that democracy is less likely to survive in countries suffering economic decline, high inflation rates, or other forms of economic crises. For democracy to be consolidated it needs to address serious social and economic injustice. One fundamental feature that characterized Nigeria's democratization since the return to civil rule in 1999 is that there is a vast majority of her citizenry living in a state of abject poverty and destitution while the remaining relatively insignificant minority are living in affluence which emanates from classical greed, selfishness, injustice, poor or bad governance and a host of societal imbalances (Audu, 2018).

One way of measuring the success or failure of government in modern societies is to assess how successful such governments are in developing the conditions for satisfying the basic needs of the people they govern. These needs include basic infrastructure, social services, public services, and keeping to create an efficient and productive economy. In addition, the effectiveness of such governments is measured by the ability to mobilize or generate adequate resources (financial, human and material), and to optimally utilize these resources to meet basic needs, as well as facilitate opportunities on the path of socioeconomic development generally (Stohr, 1981, pp.1-2). The history of democratic rule in Nigeria since 1999 has shown the inability of the Nigerian state to institutionalize democratic governance to the extent that the Nigerian people are preoccupied with the struggle to conquer poverty defined in the context of this paper as inability to provide or secure basic needs.

### **Two Decades of Democratic Rule in Nigeria and General Elections**

The tidal wave of democratization across the globe brought about transition from authoritarianism regimes to democratic rule in so many countries and Nigeria was caught up in this web with the inauguration of a civil rule in 1999 after long years of military authoritarianism. But after two decades of uninterrupted civil rule (1999-2019), it has become apparent that there remains wide gap between failed dreams and inflated expectations.

Democracy is explained in terms of essential procedures governing the elections and behavior of government officials. Election signifies an important

yardstick for measuring the direction towards democratic consolidation; hence, there is a common assumption that only elections that are credible, free and fair, and reflective of true will of the people would contribute to democratic consolidation. Larry Diamond sees election as the litmus test for democratization especially with the ascendancy of liberal democracy which has reduced democratization to election and multi-partyism. According to the great Latin American Political Scientist, Guillermo O' Donnell (2004), the overall change from an authoritarian regime to a democratic rule contains not one but two transitions: the first leads to installation of a democratic government (**as experienced in 1999**) and the second to the consolidation of democracy or to effective functioning of a democratic regime (**as experienced from 2003 to date**). Between the two transitions lies what Guillermo O'Donnell (2004) described as "inherently endangered capricious tendencies" which are capable of truncating democratic consolidation. Within this context, there are several inherently capricious tendencies in our electoral process especially in our civilian to civilian elections in Nigeria since 2003 which has failed to live up to democratic expectation. Consequently, since 2003, in our journey towards democratic consolidation, we have dealt too much on the procedural conditions rather than the maximalist conception.

The maximalists on the other hand are of the view that Procedural conception of democracy no matter how exacting is incomplete. Instead, they insist, real democracy requires not only free and fair elections and proper government procedures but also fair and just government outcomes, comprising issues of substantive and distributive democracy which include eradicating poverty. Hence, the maximalists focus on the outcomes of politics such as institutionalization of political institutions, social justice, and economic equality. The maximalist conception is dependent on the quality of representation through election.

Civilian-to-civilian elections as obtained between 2003 to 2019 elections have the potential for democratic consolidation but regrettably, our experience of two decades of democratic rule is largely characterized by electoral malpractices, fraud and irregularities that threaten the credibility, free, fairness and acceptability of the outcome thereby leading to political conflicts. In fact, both political violence and electoral malpractices had been the bane to successful civilian to civilian transition in Nigeria. The two decades of democratic rule in Nigeria has shown basically three dimensions of electoral malpractices. These are:

- A. Electoral malpractices pertaining to infringement of electoral laws. These infringements include the use of quasi-military organizations, voting by unregistered person(s), under age or juvenile voting, registration offences, impersonation in polling stations, offences in respect of ballot papers, misconduct at polling stations, ballot box snatching, etc.
- B. Electoral malpractices pertaining to improper and unethical infringements. Examples of these malpractices includes unlawful possession of electoral materials such as voters' cards, ballot papers and ballot boxes, assaulting election officials, campaigning on election day; bribery, impersonation, arrest of opposition members by law enforcement agents, multiple voting, forgery of election results, etc.

- C. Electoral malpractices pertaining to improper conduct or arrangements by Electoral Management Body (INEC). These include electoral malpractices by INEC officials such as unlawful possession of ballot papers and boxes, unlawful possession of authorized and unauthorized voters' cards; stealing ballot box keys, stuffing of ballot boxes and vote buying (vote buying refers to economic transaction of selling votes between an electorate and politicians or their representatives before and during elections).

Since the return to democratic rule in 1999 to date, the thrust of our democratic sojourn has been the procedural and processional instead structural transformation. By processional and procedural, we are more concerned with electoral process as it relates to selecting or electing managers of the state power through multiparty electoral competition without fundamentally addressing the issue of restructuring the nature and character of the state that would ultimately ensure that democratic rule produce democratic outcome for the people who are the object and subject of democracy within the socioeconomic transformation that would bring about qualitative transformation of the lives of the people.

In a nutshell, two decades of democratic rule in Nigeria is essentially restricted to the minimalist conception with emphasis on the procedure, process and formal democracy. It simply sees democracy as a political system that holds relatively free, fair, contested election with near universal adult suffrage on a regular basis. There is a need to go beyond the minimalist to the maximalist conception of election if democratic rule must impact positively on the people's lives.

### **Two Decades of Democratic Rule and Insecurity**

The return to democratic rule in Nigeria in 1999 has opened up the hitherto closed political spaces; the spaces as Jega (2005) has noted are still highly exclusive, restrictive and populated by enormous threats to socioeconomic and political stability, as well as to the aspiration for democratic consolidation and socioeconomic development. Contemporary Nigerian state has witnessed series of security challenges ranging from the activities of insurgent groups to terrorism and ethnic militias, endless and disastrous insecurity of lives and property, aggravated by threats by banditry, kidnappings, armed robbery, marauding youth gangs, farmers and herders' mini wars. It comprised of the various forms of security challenges posed by the activities of Oodua Peoples' Congress (OPC), on the contemporary Nigerian state; the activities of the Militant groups in the Niger Delta region which manifested in various ways such as Bakassi Boys (BB), Egbesu Boys of Africa (EBA), Niger Delta Peoples' Volunteer Force (NDPVF), Movement for the Emancipation of the Niger Delta (MEND), the activities of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), Independent People of Biafra (IPOB) and the activities of Boko Haram and other security challenges in different part of Nigeria.

Security challenges within the context of this paper refers to all manmade which include all manners of security threats, terror, pains, kidnapping, bombings,



killings, attacks and destruction of lives and properties that have bedeviled contemporary Nigerian state especially since the return to democratic rule in 1999.

In addition, the primacy of how socioeconomic factors constitute a source of concern to security was brought to bear by Homer-Dixon and Robert Kaplan as cited in (Nnoli,2006) that more than anything else, poverty in developing countries is the biggest threat to all nations because of the damaging effect it has on the environment. McNamara (1968) corroborated this assertion when he observed that security is development and without development, there can be no security. In addition, x-raying the role of social, economic and technological forces in security warned that:

Any society that seeks to achieve adequate military security against the background of acute food shortages, population explosion, low level of productivity and per capita income, low technological development, inadequate and inefficient public utilities, and chronic problem of unemployment, has a false sense of security.

### **Conclusion and Recommendations**

Democracy is the ruling ethos of the world and those who do not practice it will find themselves left in the dustbin of history but after two decades of uninterrupted democratic rule in Nigeria, there are still a lot of gaps between inflated expectation arising from theoretical postulations of democracy and the failed dreams based on the nature and of practice and the reality of daily experiences confronting Nigerians. A general assessment of the two decades of democratic rule in Nigeria reveals a pervasive democratic crisis of governance at all levels with a lot of widespread disenchantment and disillusionment. After two decades of uninterrupted democratic rule, Nigeria has earned herself the unenviable position of being one of the world poorest nations or as it is recently said to be the world capital of poverty. There is a downslide in people's wellbeing which is defined as the ability to meet basic household needs. The conditions of life in Nigeria after 20 years of democratic rule is synonymous to World Bank Report where "hardships have pulled every one down and that even people who are comparatively well off are no longer able to help others as they used to" (World Bank Report, 2000, p.88).

The findings of this paper has shown that nowadays, democracy is more often than not equated with the electoral and what Adedeji (1999) called a pluralistic political party system and the ballot box. This is corroborated by Lipset (1993) as cited in Adedeji (1999) who sees democracy as a competitive struggle for people's vote. This is not only given credence but conferred a seal of approval of international community on such semblance of free and fair elections in many parts of the world thereby validating the equation of democracy with elections and multi-partysm. This leads to what Adedeji (1979) cited in Adedeji (1999, p.13) referred to as "low intensity of democracy".

Two decades of Nigeria's democratic rule is remarkable because Nigeria's democratic governance has survived and thrived 20 years of unbroken and uninterrupted system for a record which has never been achieved since Nigeria's political independence in 1960. In addition to these years, Nigeria's democracy had

managed to transit from one democratically elected government to another. We have also witnessed transition and defeat of an incumbent government by opposition party as witnessed in the 2015 Presidential Election that saw the emergence of President Muhammadu Buhari as the President and the incumbent, President Goodluck Jonathan conceding defeat even before the final result was announced. The reason for all these illustrations is because, the point of transition always became the point of rupture where democracy buckled down but we have survived it. Even though the jinx of transition has been broken for good in Nigeria's political evolution especially since 1999, there are still failed dreams of our inflated expectations.

A strong and vibrant civil society is required for sustainability of democracy. A civil society with independent people's organization which are voluntary generally grassrooted, democratically administered, self-reliant and rooted in the traditions and culture of the society is the only way of countervailing non democratic forces. The role of Civil Society Organizations (CSOs) cannot be ignored. For instance, all of the newly industrialized countries of Asia had strong civil societies which were able to exert a countervailing force there. Kleptocrats in these countries were more retrained and recycled their ill-gotten wealth back into the society in constructive enterprises, thus helping to fuel economic growth (Carrington, 1999, p.13). The best curb against the continuance of kleptocracy will be the revitalization of civil society. They must keep their spotlight on public figures, analyzing their actions and exploring the boundaries between their public and private selves, to ensure that the public knows and approves of, what their representatives are doing.

The most universal criticism of African governance is non delivery of public services. The restoration of public service delivery is a sine qua non of the restoration of good governance. Good governance is therefore required to build an effective relationship between the people and their government. The degree of the responsiveness to the people's legitimate demand and expectation is a measure of good governance.

Independence brought Nigerians government of the people but not necessarily by the people. Democratic movement is required to establish government by the people and for the people. That remains the challenge before Nigeria's democratic rule after. For democracy to have meaning to an average Nigerian, there must be massive investment in the provision of basic needs of the people which must include the need for personal safety and security, employment opportunities, development of infrastructural facilities such as good roads, electricity, water, hospitals, schools, etc.

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## **Dynamics of the Executive-Legislative Conflicts in Nigeria**

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### **Abstract**

*Democracy evolved from the direct form to its modern day representative status, which has equally given way to a process consolidated on the basis of existence of three major arms of government (executive, legislature and judiciary) which should synergize to ensure its survival. While these arms of government are expected to exist independent of one another, they are equally expected to work in harmony for the “dividends” of democracy to be seen to have been delivered to the masses. When however, the relationship between the executive and legislative arms of government become overwhelmingly strained (frosty) the governance process gets negatively affected and in some instances, constitute grave danger to the existence of democracy in any polity. This paper thus set out to review the nature of the relationship that exists between the executive and the legislature at the national level during Nigeria’s fourth republic, especially between 2015 and 2019. This was done with a view to analyzing how the (strained) relationship impacted negatively on the land and people of Nigeria, the international and local perception of the country’s democratic maturity and the overall stability of democracy as the 2019 elections approached. The study was largely descriptive and historical in approach, while the democratic theory propounded by Schumpeter, et al was adopted as a frame of reference. The study found out that under the Buhari administration (2015-2018) the relationship between the executive and legislative arms of government was highly strained although both were dominated by members of the same party; APC. At the end, it was recommended among others that occupants of the executive and legislative arms of government should learn to adhere strictly to constitutional provisions.*

**Keywords:** executive, legislature, conflicts, governance, strained relationship.

### **Introduction**

It has become fashionable for nations in contemporary times to proclaim democratic styles and forms in managing the affairs of their states. Other types of government like fascism, dictatorship and military rule have largely become outdated and unacceptable among the comity of nations. To Nnoli (2011, p.1) “democracy has captured the political imagination of the world population. Today, democracy is a highly cherished value. Even societies that are clearly different in their politics claim it.” While these countries lay claim to democracy, it cannot however be far from the truth to state that there are different types (variants) of democracy in practice all over the globe. One major factor at the heart of every democratic practice is the issue of power, who gets it, when and how? It is in the course of grabbing power that a number of democratic players engage in not very democratic practices and to some

extent, contribute to the de-democratization of their countries. Nnoli (2011, p.vi) used the historical dynamic approach to identify some values that intrinsically and fundamentally undermine democracy as “domination/authoritarianism, oppression/repression, exploitation, inequality, injustice and illegitimacy.”

A basic fact about democracy and its practice is the guarantee for peoples’ freedom, equality and justice as enshrined in the constitution of countries. It is this reality that made a former American President, Abraham Lincoln to define democracy as “government of the people by the people for the people”. To Nnoli (2011, p.13) this definition, simple, graphic, original and straight to the point “has become a widely used cliché”. To Lyon and Hiskey (2011, p31) “To justify the promotion of democracy, several scholars and practitioners have argued that democracy yields many benefits, such as protection for human rights, economic development, and international peace.” A review of the executive-legislative relations in Nigeria’s democracy and the current state of the country’s development is therefore a *sine qua non* because among others, analysis would show that with regard to democratic stability in the country, it is not yet Uhuru. Democratic institutions in Nigeria seem to be undergoing the initial jerks which advanced democracies contended with and long left behind. To many an analyst, the squabbles and challenges rocking the relationship between the executive and legislative arms of government are part-and -parcel of the democratic process. It is however, the intensity and effects such frosty relationships tend to have on the life and development of the state that calls for deeper analysis, especially among “developing” democracies like Nigeria. It is equally worthy of note that history has abundance of evidence to show that countries have to invent and develop their democratic processes as regards the peculiarity of their environments. Nnoli (2011, p.29) putting this reality in proper perspective avers that:

Throughout history, varying degrees of democracy have been achieved by toil, sweat, blood and other sacrifices of individuals and groups in their struggles against...social evils. The achievement of these victories in one society does not make identical or similar struggles irrelevant or unnecessary in others, because the latter would not enjoy the victories of the former. They have to wage their own struggles over exactly the same or related issues. They have to reinvent the wheel so to say. So let the struggles continue.

This paper would progress by raising a major question: is the seemingly frosty relationship between Nigeria’s executive arm and legislative arm of government under the Muhammadu Buhari/Bukola Saraki part of the struggle for democracy in Nigeria or moves at ensuring the actualization of selfish interests of some politicians? This will serve as the major point of departure for this work.

### **The Doctrine of Separation of Powers**

The doctrine of separation of powers (SOP) serves as one of the key instruments to rely on when talking about the relationship between the executive arm

and legislature in a democracy. The constitution clearly spells out the relationship that should exist between the three major arms of government, namely; legislature, executive and judiciary. This relationship has been generally referred to as separation of powers. It is so framed to forestall a situation where any of the arms of government would appropriate to itself the entire powers of the state and thus turn itself into some sort of power usurper and dictator.

Sodara (2007, p.124) describes these three arms of government as major institutions of the state, which he defined as “the totality of a country’s governmental institutions and officials, together with the laws and procedures that structure their activities.” He further refers to them as governmental organizations that “typically perform specific functions on the basis of laws, rules, directives, and other authoritative procedures and practices”.

### **The Executive**

Sodaro (2007) among a number of other analysts has argued the fact that the executive branch of government is of primary importance in all political systems; democratic or otherwise. Put simply, in all political systems, the executive arm takes primary responsibility for the formulation and implementation of policies of the state. Consequently, it is a segment of the government that “runs the day-to-day life” of the state (Dode, 2014). Currently, Nigeria runs the American style of presidential form of government where the president is both head of state and head of government. The president has what Sodaro (2007, p.129) terms the “real decision making authority”, because among others, he/she supervises the entire executive branch of the state.

### **The Legislature**

The primary responsibility of the legislature or parliament in any political system is that of law making for the state. In the course of fulfilling this constitutionally assigned role though, the legislature equally handles other important state matters, popularly referred to as “oversight functions” in the Nigerian parlance, approval of executive policies and proposals, among others. The legislature represents the people (masses) in the law making process and attract development projects to their constituencies. In capturing the above stated facts in proper perspective, Sodaro (2007, p.130) has this to say about the functions of legislatures “... (they) also keep a check on the executive branch and its bureaucratic departments by holding inquiries and investigations into their activities. This latter function is known as *legislative oversight*.”

To Egwu (2005, p.119) the importance of the legislature, therefore, does not only arise from the fact that its functions are versatile, encapsulating executive and judicial functions; it is also the only expression of the popular will of the people. Nigeria under the fourth republic operates a bicameral legislature at the centre, composed of the Senate and House of Representatives. The historical fact of military incursion into Nigerian politics has left behind a state organizational reality where among the three arms of government in Nigeria, the executive and judiciary have enjoyed more stability and growth than the legislature. The country’s political affairs

were managed by the military between 1966 and 1999 (except 1979-1983). Usually, when the military takes over the reign of power, the first decree issued would be the “constitution and other politically related activities suspension decree”, which would normally suspend all political activities viz: the legislature, political parties and others.

Dode (2008, p.128) described the above narrated in these words:

... in the course of our historical analysis of military incursion into the body politics of Nigeria and indeed all other countries (it was discovered) that they impact negatively on democratic structures and institutions, especially the constitution and the legislature. Consequently, the legislature remains an undeveloped arm of the state.

### **The Democratic Theory**

The democratic theory was made popular by Schumpeter and reevaluated by many other analysts. It is a very apt theoretical framework with regard to a discussion on democratic processes that involves the executive and legislature. A related paradigm is Montesquieu’s “principle of separation of power” already alluded to in the body of this work.

Through his “Capitalism, Socialism and Democracy,” Schumpeter argued among others that the classical theory of democracy summarized by Abraham Lincoln as ‘government of the people by the people for the people’, where all qualified adult males contributed directly to the making of public policy was deficient. His position was anchored on the argument that in contemporary times, such narrative could no longer explain the concept of popular participation. It could not squarely explain the practice of division of governmental administrative powers among the three arms of government (executive, legislature and judiciary) effectively (Dode, 2008).

To Schumpeter and his school of thought, at best, the classical theory of democracy was methodologically appropriate in explaining democratic practices of small primitive communities in which face-to-face relations prevail and politically related issues are simple and not complex (Lively, 1975, p.5). Schumpeter went further to outline a number of characteristics that must be showcased by a country for it to be tagged “democratic”. Among these requirements are: the rulers must be chosen by the ruled or their representatives; there should be ‘not only elections but periodic elections’. Flowing from Schumpeter’s position, Baron de Montesquieu added an element to these democratic requirements, which touches directly on our subject matter. To Montesquieu, for any country to be tagged ‘democratic’, it must be structured in a way that governmental powers and responsibilities must be shared between the three arms of government (already discussed above)). That to concentrate more than one class of functions in any one person or organ of government is a threat to individual liberty and the peoples’ will. These positions (by Schumpeter and Montesquieu) serve as the skeleton upon which the flesh of our



current study on the dynamics of executive-legislative conflicts in governance in Nigeria will rest.

## **Importance of the Executive and Legislature to Governance of the State**

### **The Executive Power**

As mentioned above, the executive has the primary responsibility of implementing/ administering state laws, including those enacted by the legislature. It's importance in a political system, whether presidential, parliamentary, dictatorship or monarchy cannot be overemphasized. To Obidimma and Obidimma (2015, p.77):

It is the branch of government responsible for the day-to-day management of the state. The executive contains the head of state, who is the head of that arm of government. The executive is normally identified by the Head of State, while in a parliamentary system he is usually the leader of the largest party in the legislature and is most commonly called the Prime Minister.

Nigeria has practiced both parliamentary (1960-1966) and presidential (1979-1983 and 1999-date) systems of government. By the terms of the current 1999 Constitution, the executive powers of the federation are vested in the president and extends to the execution and maintenance of the constitution, all laws made by the National Assembly and regarding all matters with respect to which the National Assembly has for the time being power to make laws. Such powers are replicated at the state levels where the executive powers of the state are vested in the state governor and is extended to the execution and maintenance of the constitution and to all matters of which the State House of Assembly has power to make laws (Section 5 (1) and (2) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).

The deductible inference from the above cited is that the president as head of government, in the words of Sodar (2007, p.129) is "usually the country's chief political officer and is responsible for presenting and conducting its principal policies." Nigeria operates a presidential system of government like the United States where the president is both head of state and head of government.

The Section 5(1) (b) cited above bestows on a president, the powers to execute and maintain the constitution. This is an all-encompassing responsibility, the scope of which, according to Obidimma and Obidimma (2015, p.77) "cannot be easily determined until situations arise which have to be dealt with. The president is by this duty responsible for making sure that the provisions of the constitution are brought into effect." To these powers, they further add that whenever constitutional provisions are perceived to have been infringed or there is an attempted infraction, the president as the head of the executive has the duty of redressing such, either through judicial means, or if expediency demands, through the use of force, which rationale will be subsequently presented to the National Assembly.

The provisions of section 5(1) (b) further expects the president to exercise powers to execute and maintain all laws made by the National Assembly. Consequently, whenever a situation “occurs in relation to a particular matter under the legislative authority of the National Assembly, but for which a law has not been made, the president has a duty to deal with it in the course of his duties in the day to day running of the affairs of the nation” (Obidimma and Obidimma, 2015, p.77). These constitutional provisions exercisable by the President of the Federal Republic of Nigeria have in comparative terms made most analysts to describe that office as the most powerful in the world.

### **The Legislature**

Stated already in the body of this paper is the fact that the primary function of the legislature in any democracy is the making of laws, sometimes in conjunction with the executive branch (Sodaro, 2007). They are equally referred to as the direct representatives of the masses because they represent the peoples’ interest in the law making process. Dode (2008, p.130) avers in this regard that by virtue of this status, the legislature “constitutes the major voice (representatives) of the masses”. In what is usually referred to as legislative “oversight” the legislature according to Sodaro (2007, p.130) “also keeps a check on the executive branch and its bureaucratic departments by holding inquiries and investigations into their activities.”

The legislature is one arm of government which to a large extent guarantees the safeguard of the people’s right, freedom and constitutionalism. It is in this wise that representatives draw the attention of their colleagues and other state agents to the plight of their citizens. Whenever an emergency situation arose in any part of Nigeria, since 1999, a member of the House or Senate would raise a motion for a matter of urgent public attention. Examples in recent times include the plight of the inhabitants of internally displaced persons (IDPs), flood in major parts of Bayelsa State (2018), discovery of scores of cars in a pond in Benue State and the discovery of the remains of a Major General in a shallow well, etc. These issues were widely discussed on the floor of the Senate and House of Representatives where some recommendations were made to the executive arm of government on proposed plan of action to attend to such national emergencies.

It is usually the vibrancy of a legislature that guarantees the effectiveness of a democracy. They speak truth to power (the executive) at all times to guarantee the utilitarian postulation of the greatest good for the greatest number. The reverse becomes the case where a legislature fails to assert its independence from the other arms of government. In stating this fact succinctly, Dode (2008, p.131) argues that “a situation where the legislature is directly or indirectly turned into a lame duck portends danger for any country’s democratic practice.” This was almost the case at the federal level in Nigeria between 1999-2007, when a president with a thorough military background (Olusegun Obasanjo) deployed every available resource under his disposal to either make life miserable for or remove any presiding officer (of the Senate or House of Representative) who he perceived to have an opposing political opinion to his own. Dode (2008, p.131), like *Tell Magazine* (September 23,2006)

alluded to the fact that when members of the House of Representatives in the year 2000 failed in their bid to impeach the President, the tool deployed by the executive to retaliate was to block the release of funds meant for the House. Egwu (2005, p.23) summarized the legislative characteristics of the Fourth Republic under Obasanjo (1999-2007) as one characterized by "... uninformed debates often focusing on parochial concerns of the legislators, executive dominance and a functional ambiguity preceding from a limited decision-making role".

The afore analyzed have been used to demonstrate the usefulness of the executive and legislative arms of government to democratic development and stability of any country. Most of the advanced democracies are so referred because over time, these two major governance institutions have assumed their pride of place, with none being unnecessarily overbearing on the other. To a considerable extent, they display some of the highest levels of mutual trust and respect. This cannot be said to be the case among developing democracies like Nigeria, Egypt, Libya and a number of others.

Even when they disagree, the executive and legislative arms of any state are expected to work hand in gloves with each other to ensure maximum policy making and implementation which will be of benefit to the generality of their citizens.

### **The Effects of Executive-Legislative Conflicts on Governance in Nigeria (2015-2019)**

This paper observed above that the Obasanjo Presidency (1999-2007) put every mercenary in place to have a firm control (grip) over the legislature; hence there were frequent changes of principal officers of the Senate and House of Representatives during that era more than any other period in Nigerian history. This characteristic, we argued strongly was borne out of the experiences and orientations of the president who was a retired General in the Army and one-time Head of State and Commander-in-Chief of Nigeria's Armed Forces. Between 1999-2007, Nigeria's House of Representatives showcased four Speakers namely, Salisu Buhari, Ghali Umar Na'Abba, Aminu Bello, Masari and Patricia Etteh. The Senate Presidents were not sparred either, as five of them were impeached under Obasanjo: Chief Evan Enwerem, Dr. Chuba Okadigbo, Pius Anyim, Adolphus Wabara, Ken Nnamani and David Mark all served as Senate President between 1999 and 2007.

During Yar'Adua's administration (2007-2010), there was an unparalleled history of mutual trust and respect between the presidency and the national assembly. The legislature under Yar'Adua tended to enjoy the highest recorded period of legislative independence and stability in leadership. This again was relatively a result of the orientation of the then president who through his desire to reduce conflict situations to the barest minimum, allowed the legislature and judiciary to operate on the basis of constitutional provisions. He succeeded in winning the peace almost across the country (including the Niger-Delta crisis) while he remained alive as president.

President Jonathan (2010-2015) started well with the legislature until some powerful ministers under his administration were fingered to be very corrupt and

warranting national assembly investigation and even recommending their removal from the Executive Council like; Mrs. Deziani Alison-Maduekwe and others. The conflict level got to the peak when President Jonathan attempted to continue to stay in office as president beyond 2015 under the banner of the then majority party, PDP. There were accusations and counter accusations between national assembly and Presidency with regard to hitting up of the polity. At some point President Jonathan avoided the national assembly by asking his Minister for Finance, Okonjo-Iwala to present the customary budgetary bill on the floor of the House. The frosty relationship between both arms of government made Jonathan to refuse to append his assent to the Constitution amendment, a process into which billions of naira was already injected. He argued among others that the National Assembly failed to meet the requirement for the alteration of S.59(a) of the 1999 constitution.

Then came the era of General Muhammadu Buhari as elected President (2015-2019). It is instructive to observe that a coalition of forces led to the unprecedented defeat of a sitting president in the history of Federal Republic of Nigeria. The parties that merged to form the All Progressives Congress (APC) were ACN, APP, a faction of APGA and a group known as the new PDP led by Senator Bukola Saraki, Alhaji Tambuwal and others. Shortly had the administration gone into the business of governance than frequent rifts arose in the relationship between the Presidency and National Assembly (although both arms of government were led by the APC). As has been attested to in the body of this paper, it is the norm that irrespective of their political party or personal differences, the executive and legislative arms of government must work in tandem to bring development to bear on the country upon which they preside. Such is achieved through mutual respect and observance of the roles already assigned by the constitution. In this wise Obidimma and Obidimma (2015, p.78) argued:

For a harmonious partnership between the legislature and executive, each must carry out the functions assigned to it by the constitution effectively and each must keep within the limits of its powers and within the constitution generally.

In their interactions, most engagements between the executive and legislative arms under President Buhari, Senator Saraki and Hon. Dogara have been characterized by disharmony, with blames of constitutional abridgements thrown at one another. President Buhari never minced words in accusing the legislature of acts of encroaching upon the functions of the executive, especially in the area of injecting items that were not initially included in the Budgetary Bill sent to the legislature for deliberation.

The executive under the leadership of President Buhari also accused the legislature of demanding huge sums of money as bribe to have them facilitate the passage of the Budgetary Bill. Some analysts have observed that conflict between the executive and legislature under Buhari attained unprecedented levels ever since Nigeria reverted to democracy in 1999. The National Assembly is perceived by the Presidency to be populated with a number of law makers who are venal and greedy, a

group of public office holders who pay themselves extraordinarily well for a poor country; “pad” budgets, blackmail nominees for Senate confirmation, etc. (<https://punchng.com>).

It is however noteworthy that the politics that played out between 2015-2019 seem to be the opposite of 1999-2007. During the latter, the cases of interference/usurpation of power was largely committed by the executive arm (as posited in this paper). Whereas, between 2015-2019, the pendulum turned, with the legislature interfering more with the activities of the executive. A few instances/examples will do here. Till the time of writing this paper, the 7<sup>th</sup> National Assembly refused to screen and okay the appointment of Mr. Ibrahim Magu (a presidential nominee) as the effective Chairman of the Economic and Financial Crimes Commission (EFCC). This refusal is largely related to a number of court cases that the Commission under the leadership of Magu has initiated against some top members of the national assembly. Ironically though, while President Obasanjo remained continuously concerned about the leadership of the Senate and House of Representatives, President Buhari showed little, if any concern. It was rather the ‘later day’ APC Chairman (Adams Oshiomhole) that would bother himself about this subject matter; especially during the days of party defections by politicians in Nigeria.

In the current dispensation (2018), the President of the Senate and Speaker of the House of Representatives defected from the ruling All Progressives Congress (APC) to the People’s Democratic Party (PDP), while Senator Akpabio (former Akwa Ibom State Governor and Minority Leader of Senate moved from PDP to APC). This movement caused a lot of ripples in the political landscape of Nigeria when both houses even had to proceed on vacation for over two months (July-October 2018). There was clamour for the two principal officers to vacate their seats as President of Senate and Speaker of the House of Representatives respectively. This call was largely championed by the Chairman of the APC, Mr. Adams Oshiomhole and the APC caucus in both legislative houses. It is however very instructive to note that the President, Mohammadu Buhari made little or no move to indicate his interest in the removal of these Principal Officers. This action was quite in contrast with the disposition of President Olusegun Obasanjo (1999-2007) who did everything possible to remove his Vice President from office for defecting from his party (PDP) to an opposition party (ACN).

In the words of Obidimma and Obidimma (2015, p.79):

... in the year 2006, the President in violation of the Constitution and usurping the powers of the National Assembly, declared the office of the Vice-President vacant claiming that the vice-president having defected from the political party on whose platform he was elected, to join another political party, had constructively resigned, withdrawn from or voluntarily abandoned his office of Vice-President.... However, that Section does not give the power of impeachment to any other arm of government but the National Assembly. The Court therefore, declared

the President's declarations unconstitutional, illegal, null and void and of no effect.

The initiation and process for removing Principal Officers of the legislature ought to be the exclusive preserve of the legislature. Any attempt to get that done by external forces clearly contravenes constitutional provisions and is declared anti-democratic (see Sections 143 and 188 of the 1999 Constitution). The basic fact to extract from the above illustration is that executive-legislative conflicts are bound to occur whenever there is an attempt to abuse power by either of the levels of government i.e. when there is an attempt to act in excess of power, especially "all for reasons of personal gains" (Obidimma and Obidimma, 2015, p.79). The latter further argued that "Acting in-excess of power or its abuse is often the result of arrogant and intolerant attitude towards state power which has become rampant among leaders almost everywhere in Africa" (p.79). This narrative underscores the attitude displayed by the APC Chairman, Adams Oshiomhole when he threatened the Senate President with immediate removal as soon as the Senate reconvened after their over two months' vacation in 2018; a punishment for his defection from APC to PDP.

One major source of conflict between the executive and legislative arms that has remained a near permanent occurrence ever since Nigeria returned to democratic practice in 1999 is the approval and implementation of the annual budget. The legislature will always argue that the executive did not do enough justice to the implementation of the previous year's budget. It is also public knowledge that most times, the legislature attempts to overload the budgetary bill with items and proposed expenditure that squarely meets their personal needs. This has been the case in the past three years when President Buhari became the President of Nigeria. His aides have not hidden the fact that the President has vowed never to 'bribe' the National Assembly for them to approve the national budget. This has led to months of delay in passage of the budgetary bill by the National Assembly (2015-2018). A quick example will suffice; the 2018 Appropriation Bill was presented to the National Assembly by the Presidency on 7<sup>th</sup> November 2017 with the expectation that it would be passed by the end of December and signed into law early in January 2018. But that was never to be, as it took seven months for that process to be completed; after all the forward and backward movements, the President signed that Appropriation Bill into Law on 20<sup>th</sup> June, 2018 (Vanguardngr.com, accessed on 6<sup>th</sup> November, 2018). Many analysts have argued that this delay negatively impacts on the Nigerian economy and development. Among others, they argue that when such conflicts result in the delay of passage of the budgetary bill, economic growth is affected, jobs are lost, government may not be able to execute 40 percent of the capital expenditure and foreign investors may be discouraged from coming in to invest in Nigeria.

The table below shows the dates the Nigerian Budgets since 2000 were signed into law.

<b>Fiscal Year</b>	<b>Date NASS Received the Budget from President</b>	<b>Date Revised the Budget was sent to President for Assent</b>	<b>Date President Assented to the budget</b>
2000	24 <sup>th</sup> Nov, 1999	14 <sup>th</sup> April, 2000	5 <sup>th</sup> May, 2000
2001	9 <sup>th</sup> Nov, 2000	21 <sup>st</sup> Dec, 2000	21 <sup>st</sup> Dec., 2000
2002	7 <sup>th</sup> Nov, 2001	28 <sup>th</sup> March, 2002	28 <sup>th</sup> March, 2002
2003	20 <sup>th</sup> Nov, 2002	11 <sup>th</sup> March, 2003	10 <sup>th</sup> April, 2003
2004	18 <sup>th</sup> Dec, 2003	20 <sup>th</sup> April, 2004	21 <sup>st</sup> April, 2004
2005	12 <sup>th</sup> Oct, 2004	18 <sup>th</sup> March, 2005	12 <sup>th</sup> April, 2005
2006	6 <sup>th</sup> Dec, 2005	21 <sup>st</sup> Feb, 2006	22 <sup>nd</sup> April, 2006
2007	6 <sup>th</sup> Oct, 2006	22 <sup>nd</sup> Dec, 2006	22 <sup>nd</sup> Dec, 2006
2008	8 <sup>th</sup> Nov, 2007	27 <sup>th</sup> March, 2008	14 <sup>th</sup> April, 2008
2009	2 <sup>nd</sup> Dec, 2008	3 <sup>rd</sup> Feb, 2009	10 <sup>th</sup> March, 2009
2010	23 <sup>rd</sup> Nov, 2009	25 <sup>th</sup> March, 2010	22 <sup>nd</sup> April, 2010
2011	15 <sup>th</sup> Dec, 2010	25 <sup>th</sup> May, 2011	26 <sup>th</sup> May, 2011
2012	13 <sup>th</sup> Dec, 2011	27 <sup>th</sup> March, 2012	13 <sup>th</sup> April, 2012
2013	10 <sup>th</sup> Oct, 2012	21 <sup>st</sup> Dec, 2012	26 <sup>th</sup> Feb, 2013

**Source:** Ogujiuba and Ehigiamusoe, 2014, p. 301

### **Conclusion**

Executive-legislative conflicts have been as old as the history of democracy among nation states. In attempting to fulfill their constitutional mandate, occupants of either the executive or legislative arms of government do overshoot their boundaries, thus leading to strain in relationship with the others. The process(es) put on ground for the management of such misunderstanding either hastens the mitigation or escalation of such conflicts.

This work among others revealed the fact that while the Constitution of Nigeria states in loud terms, the roles assigned to each arm of government, there have been several acts of executive or legislative rascality recorded since 1999 when democracy was re-ushered in.

The paper observed further that while the Obasanjo administration (1999-2007) saw frantic efforts on the part of the presidency aimed at muzzling the legislature, under Yar'Adua (2007-2010), the two arms of government accorded each other mutual respect. During the Jonathan administration (2010-2015), several acts of conflict between the executive and legislature were recorded especially after the latter called for the removal of some ministers who were adjudged to be corrupt. Several billions of naira were deployed into amending Sections of the 1999 Constitution, which ended up in the dustbin because the president refused to grant his assent.

The Buhari Presidency (2015-2019) on a reverse note saw a legislature that used every available means to stagnate the proposals and activities of the executive. Such was borne out of the frustration some key members of the National Assembly faced who were being prosecuted by a state agency; the EFCC. Until the Senate President and Speaker of the House defected from the ruling APC to PDP, actions between both parties (executive and legislature) showed that there was no love lost among the *dramatis persona*.

It is a desirable objective for all democratic states to record stability and growth in their democratic practices. However, being institutions that are occupied by humans, even if all structures were on ground for a smooth relationship between executives and legislators, individual differences are bound to arise which if not nipped in the bud are likely to generate into institutional conflicts. It is in this wise that the under listed factors (if applied appropriately) would help to curb the rate of conflicts among Nigerian executive and legislative arms of government.

### **Recommendations**

- ✓ There is the need for the two arms of government to adhere strictly to constitutional provisions.
- ✓ It cannot be out of place to observe that although capacity-building seminars and conferences are organized for members of these two arms of government at intervals, more needs to be done in this regard. Emphasis should be placed on training, re-training and education of the personnel on the principles and processes of policy-making and implementation.
- ✓ The principles of separation of power, checks and balances, rule of law, etc should guide the relationship between both arms of government.
- ✓ Both arms of government should view their role(s) in governance as complementary rather than competitive.
- ✓ It is an incontrovertible fact that corruption has remained the greatest challenge to Nigeria's nationhood. Consequently, the occupants of executive and legislative positions in Nigeria should agree on and jointly work towards achievable measures that would help reduce corruption and its practices to the barest minimum level.
- ✓ The executive and legislative personnel should purposively draw up programmes that will constantly assemble them together for the purpose of thought and policy harmonization.
- ✓ Acts of resorting to self-help must be curbed by allowing the courts to serve as final arbiters in case(s) of conflict of rules between the executives and legislators.



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## **Political Elitism, Good Governance and Democratic Sustainability in Nigeria: A Critical Discourse**

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### **Abstract**

*The activities of Nigerian political elites have become one of major issues affecting governance and democratic sustainability in the country. They are a set of oligarchy that has been influencing policies and programmes of government towards meeting the needs and aspirations of their members at detriment of the masses since the country returned to democratic rule in 1999. Political elitism has resulted to implementation of some policies by the government which has not been friendly to the people's need on social, political and economic matters. Those policies are unbearable to ordinary citizens who elected them into offices. In influencing the state policies, the nation's political elites sometimes act contrary to their promises and the dictates of their party manifestos to the electorates prior to their elections to the public offices. They determine who get what in government and direct the affairs of the states to protect socio-political and economic interests of their members without considering its effects on well being of the masses. Relying on secondary data, the paper reveals that despite huge resources put into the implementation of government policies towards the betterment of the lives of the people, those move have not yielded positive results on infrastructural development in the country thereby impacting negatively on governance and democratic consolidation in Nigeria.*

**Keywords:** Political Elitism, Good Governance, Sustainable Democracy, Public Policy, Infrastructural Development

### **Introduction**

The political elites are set of oligarchy comprises small group of people controlling the affairs of the state. They occupy different sensitive positions in the institutions of the state and exercises informal political power that constitute enormous consequences on the generality of the people including institutions of the government. Political elites as oligarchy occupy a position that has succeeded in weakening socio-political power of ordinary citizens in order to actualize their group's interests.

As observes by Kifordu (2011), the issue of political elitism, good governance and democratic sustainability have been a major issue recurring in political debates since the country returned to democratic rule in 1999. This is because Nigerian post-colonial political elites have dominated social, political and economic base of the country by dictating 'who gets what, when and how' up to this moment. Political events since second republic in Nigeria has made the electoral power of ordinary citizens become inconsequential with the emergence of President

Shagari in 1979 and to which its extent effects resulted to the collapse of the second republic prematurely and the aborted third republic in the country.

Omodia (2010) argues that the power accumulation tendency of the nation's political elites lends credence to series of electoral violence experienced in Nigeria since 1999 because political elitism has promoted series of electoral violence, thuggery and financial inducement of electorates in all the elections conducted in Nigeria up till this moment. The political interest of elites has been prevailing against the general wishes of the people. As neo-colonialists established to influence socio-political and economic interests of their members, Nigerian political elites are the set of oligarchy established towards influencing government policies for the survival of socio-economic interests of their members.

Azeez (2014) avers that the emergence of Nigerian leaders since the beginning of the Fourth Republic in 1999 was based on the choice of the nation's political elites. Empirically, the emergences of General Olusegun Obasanjo (rtd) in 1999, Alhaji Musa Yar'Adua in 2007 and Dr. Goodluck Jonathan in 2011 during the Peoples Democratic Party (PDP) primary elections were fully supported by the elitists. Their emergence was part of the game plan of installing one of their own at helm of affairs and the decision has been having extant effects on governance and democratic sustainability in the country. From this submission, it has been observed that the activities of Nigerian political elites have made the electoral contest in the country to become a non-elite contest and this is contrary to democratic principle where the decision to elect a leader to any positions of authority must be on majority decisions of members of the state.

As observed by Okonofua (2013), the nation's electoral contest is non-elite base because electioneering process in Nigeria has been designed by the electoral umpire to favour the nation's power elites and this has made it impossible for ordinary Nigerians to compete with these power elites. Therefore, nation's electoral contest has been regarded as a form of oligarchy formation while the basis of elections, to them is contestation for total control of government, which in turn legitimates their political power towards directing the affairs of the state and its people of which its long term effects has not been more beneficial to the people of Nigeria. Rather the government policies and decision-making of government are always designed for the benefits of political elites and their cronies in position of authority in the state. It is in the light of this development that this paper investigates the effects of political elitism on governance and democratic sustainability in Nigeria.

### **Conceptualizing Political Elitism, Good Governance and Democratic Sustainability** *Political Elitism*

Political Elitism is a movement of like-minded intellectuals, veteran bureaucrats, media people, traditional rulers, ethnic peacemakers and business people in the country. It is an ideological movement established with the purpose of influencing government policies towards the advancement of oligarchy interests. As advanced by Dye (1976), political elitism is a movement established to antagonize constitutional power formation between pro and anti-democratic forces in a sovereign

state. It is a power force that pursues its interests by collaborating with government in power for realization of their social, economic and political interests.

Dye (1976) maintains further that political elite is a closely-knit alliance of military, government and corporate officials which has been perceived as center of wealth and political power of any sovereign state. They are the men at the top of the military, corporate and political worlds. Political elites share the same view and often work together towards realization of their group's objective. They occupy positions of authority in the state in order to control the machinery of government and control half of the nation's industrial, social, economic and political interests. They also interpret government actions as a preferred policy of their members.

As governing elite, Okonofua (2013) posits that political elites draw their members from ex-political leaders, major corporate owners, bourgeoisie and some powerful directors in the public sector, high-ranking military personnel including some first-class traditional rulers who tend to dictate political activities in the state. These groups overlap one other in their desires to dictate who get what within political system. Their members always observe fundamental condition of free economic policy in order to allow the government to promote sanctity of their economic interests.

Igodalo (2012) argues that political elites hold gigantism in the world of commerce for granted. More importantly, they are united in their belief that the primary responsibility of government is to maintain a favorable climate for their investment at the detriment of the masses. They see the establishment of basic policy agenda of government in specialized area of security and economy for the protection of their business interests and as part of their process of bargaining power. They sometimes do not bother to aspire to be in government but they do set the general policy framework for those in positions of authority to follow at all levels of government.

In another development, political elites have constituted themselves to be static and isolated from reality of corporate governance designed for the peoples' welfare. According to Okonofua (2013), the over centralization of political power within their circle has led to rigidity in the decision making of the government. This made the state apparatus to design towards actualization of interest of political elites, but also, their collectively expressed will at the detriments of the masses. Therefore, the coming together of power elites can be regarded as oligarchy formation established to represent parochial interests of big business empires, military and powerful traditional institutions in the corridor of power.

### ***Good Governance***

Good Governance is a term used globally to describe how public institutions conduct public affairs and manage the public resources for the betterment of the people. According to George-Genyi (2013), good governance as ideology emerges as a model of comparing ineffective political system with appropriate ones. Good governance center on the responsibility of government, institutions and governing bodies to meet up with the needs of the people as opposed to select group members of

the society. It is an approach that is committed to creating a system founded on justice and peace that protects individual's rights in the state.

As observed by Lawson (2012), good governance as an approach in modern system of governance requires inclusion of the generality of the people in the administration of the state through their elected representatives. It is a global approach to promote freedom of association and expression exemplified by impartial legal systems established to protect individual's rights and liberties of the citizens in accordance with the constitution of the state. Lawson (2012) maintains that good governance is demonstrated by agenda that mediate between many different needs, perspectives and expectations of a diverse citizenry in the state. Therefore, for the attainment of good governance objective, government needs to develop a framework for policy formulation towards meeting the needs and aspirations of the people. This can engender democratic sustainability in the state.

However, Fukuyama (2013) observes that good governance is not only about making rightful decisions towards effective policy implementation. But, it is all about taking the best possible step in making those decisions beneficial to the people. Therefore, good governance is general the ability to make and enforce suitable rules in delivering required public services to the people. Adebisi (2014) conclude that good governance encompasses the state's institutional and structural arrangements, decision-making processes, implementation capacity and the relationship between the governing apparatus and the governed through strict compliance to the constitutional provision and prompt observation of legal implications of decision-making by the government including its general effects on the citizenry. Good Governance is therefore the process for making and implementing good policies in the state.

### ***Democratic Sustainability***

Democracy abounds in theory and practice with many definitions. However, the one universally accepted is that of Abraham Lincoln, which says democracy is the government of the people by the people, and for the people. According to Okowa (2015), the abiding principle of democratic government is majority rule, one in which supreme power is held by the people under free and fair electoral system. In a real democracy, the people possess the constitutionally guaranteed right to choose who rules over them. As a form of government, the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.

Its sustainability involve strict adherence to principle of rule of law, credible elections and respect of fundamental rights of the citizens. Bluhdorn (2011) argues that democratic sustainability is a dependent variable to good governance, it is an ingredient of national development, which is also the gradual manifestation of positive changes in the economic, industrial, political, social, cultural and administrative life of the state, which may be difficult to achieve when political elitism is the bedrock of democratic process in the state.

Bluhdorn (2011) maintained further that the true democratic process gives periodic opportunities to the citizens to elect their representatives without any compromise from any quarter. Therefore, it ensures massive participation of the people in governmental activities which in turn promote democratic sustainability in the state. Democracy is deepened and sustainable when there is good governance and this must be the central goal of every government in a democratic state. Good governance is imperative for social and economic progress of the nation and it is built on rule of law, fulfillment of campaign promises, good leadership style and viable political parties.

Okowa (2015) believes that democratic sustainability is difficult to achieve when the policy makers are not democratic in their thoughts. For democratic sustainability to be maintained in the state, the nation constitution and written laws of the state need to be obeyed and upheld by those in positions of authorities while due process must be followed in the cause of steering the affairs of the state. Volk (2014) believes that democracy is undermining when actions or inactions of the government institutions appear tainted with partisanship or hypocrisy.

Therefore, its sustainability must begin with strong institutions which need not to be compromised in favour of the ruling elites. The rule of law must be a guiding principle in decision-making framework of the government with solid integrity test, which must be performed within the institutions of the government with prompt enforcement of the principle of rule of law in order to retain public confidence in the government.

### **Elite Theory**

The elite theory is a theory that originated from the work of Gaetano Mosca (1858–1941). The theory focuses on how few members of the society outwit majority when it comes to the issue of power distribution in the state. It is a theory that describes different form of power relationship and how few but powerful members of the society determine who get what when it comes to the issue of governance and power distribution in the state. The elites hold the most powerful positions in the state and use it to influence government policies to actualize the elitists' interests. The theory as postulated by Mosca (1939) avers that power distribution is a form of utopian folly of democratization which rejects pluralist view of power distribution in the society. This has therefore made public policy to become values and preferences of a governing elite established to satisfy the elitists' interest.

Sambo (1999) claimed that elite theory is conspiratorial and underlying premise about elite consensus on fundamental norms of social system which limits the choice of policy alternatives to only those who fall within the shared consensus of governing elite. According to Sambo (1999), when entire groups are ostensibly completely excluded from the state's traditional networks of power, it gives recognition to 'counter-elites' which frequently develop within such excluded groups which in turn result to power sharing negotiations designed for the realization of elitists' interests. This situation occurring when few Nigerians who possess both

economic and political powers dictate how political powers are acquired and distributed among few privileged Nigerians.

In order to achieve their target, Sambo (1999) alluded to the fact that Nigerian power elites always engage in manipulation of political process towards acquisition of power and this has resulted to series of electoral fraud witnessed in the previous elections conducted since Nigeria's independence. This fraudulent democratic process as argued by Sambo (1999) however gave pivotal power to the ruling elites in the value allocation process with crucial role of carrying into effect, through its officials and agencies which the dominant few want it to be reflected in governance and public policy implementation in Nigeria. The theory further enables us to understand how powerful are the Nigerian political elites when it comes to the issue of influencing government policies in Nigeria.

### **Political Elitism Formation and Method of Influencing Government Policies in Nigeria**

The dynamics of political elitism are different form in Nigeria, as a result of the nature of the society where traditional institution indirectly involves in administration of the society in an advisory way. For instance, in northern Nigeria, Okonofua (2013) avers that the role of Hausa-Fulani aristocracy group cannot be ignored when it come to the issue of governance and administration of the state and the group as a traditional institution can be regarded as strong political elites which derived its power chiefly from possession of religious and cultural capital under spiritual headship of the Sultanate council.

Hausa-Fulani aristocracy group exercises near absolute control over northern populations and this control extends into the military, the top echelon of which is made up principally of Muslim officers from the core northern part of the country. Okonofua (2013) argued further that the group possesses great political dominance that has been legitimated over the years through hegemonic control of the apparatus of Nigeria and its population. They wage influence on their followers who are in different positions of authority across the country to direct the policies of government towards meeting up socio-economic interests of their members. This influence to some extent has impacted negatively on governance and democratic sustainability in the country.

Also, the impact of the nation's military institution on governance before the country returned to democratic rule in 1999 cannot be completely ignored. The military as agent of the state is constitutionally empower to defend the nation's territorial boundary against external aggression. As noted by Ighodalo (2012), this responsibility was jettison shortly after independence when Nigeria experienced the first military coup led by Major Nzeogwu Kaduna and other middle-rank military officers who forcefully overthrew democratically elected government of Tafawa Balewa the then Prime Minister of Nigeria in a bloodily coup. This eventually resulted to assassination of some top government officials across the then four regions in the country.

Since then, the military institution has been in and out of government until the barrier was broken in 1999 when the country eventually returned to democratic rule. Ighodalo (2012) further maintained that the nation's military institution perpetuated their hegemony and influence through the control of the nation's armed forces. The institution had subverted the laid-down rules and ethics of their profession through their direct involvement in governance with seven successful military coups and over 38 years of military rule in the political history of Nigeria. As argued by Okonofua (2013), the coups and counter coups were means through which the military elites maintained their hold on governance before 1999 hand-over to a democratically elected government.

The June 12, 1993 Presidential Election fiasco and the election of one of them, Chief Olusegun Obasanjo, as the first democratically elected President of the Fourth Republic indicates how powerful Nigerian military is when it comes to the issue of governance and democratic process in the country. This institution comprises only few power elites that control the nation socio-political cum economic resources. They usually direct the policy of the state towards meeting the needs and aspirations of their members. Mahmud (2016) avers that the military elites in collaboration with their economic counterparts and their foreign collaborators cannot be totally forgotten when it comes to the elitism formation in Nigeria.

According to Mahmud (2016), military, Hausa-Fulani aristocratic group and economic elites are also part of the nation's political elites who only concerned with how to influence government's decisions towards protection of their business interests. In realization of this mission, the indigenous economic elites have however contributed to the emergence of Nigerian leaders both military and civilian administrations in the country. For instance, the contributions of Late (Chief) MKO Abiola, a business mogul to the emergence of some top political leaders can be regarded as empirical facts to this study.

In order to actualize this objective, Mahmud (2016) maintains that the economic elites always collaborate with some leading politicians to ensure emergency of any government that can protect their business interests while political elites in return ensure its absolute protection at the detriment of the masses who always bear the cost of economic gains of all the associated elites. Also, Kifordu (2011) concluded that the incorporation of technocrats into the elite club by Nigerian kingmakers was because of growing organizational complexity of the society which calls for corporate planning before endorsement of candidates into leadership positions in the country.

The technocrats as non active members of political elites give professional guides on how to actualize the interests of political elites when they eventually capture power. They are always behind-the-scenes in guiding political elites in their decision-making in the state in order to determine who gets what in government.



### **Effects of Political Elitism on Governance and Democratic Sustainability in Nigeria**

Democracy is freedom of choice and the right to vote and be voted in an electoral contest. This ingredient of democracy encourages civic consciousness of the citizen to be more effective in participating in all democratic process. However, Chukwuemeka (2012) avers that this universal core value of democracy has technically failed to accord a due respect to Nigerian political elites. They have eroded this fundamental freedom which now threatens governance and democratic sustainability in the country. The scholar further maintained that this depreciation of people's rights has limited the chances of ordinary citizen to determine who control their affairs without being dictated to by the power elite who possess both human and materials resources to ensure total control of the machinery of government in the state.

According to Okonofua (2013), political elitism has posed a great threat to democratic governance in Nigeria by dominating the nation's political system. This has been done by influencing electioneering process to favour their candidates contesting for different positions in the country. This has made political system in Nigeria to be so monetized to the extent that it is only those who have financial means that can aspire to contest for any political positions of their choice. Nigerian political elites as averred by Azeez (2014) always disguise to be democrats in their political engagements. Sometimes, they make case for credible electoral process which in turn manipulated towards the victory of their loyalists. This is very inimical to the tenets of democratic principle.

The Nigerian public office holders are always not accountable to the people and invariably their loyalty always goes to the political elites that sponsored their elections or nominate them to various political positions. This however negates the cardinal principle of good governance, transparency and accountability that democratic governance stand for in the management of public affairs. Chukwuemeka (2012) further opines that the activities of the nation's political elites have robbed Nigerians the benefits of democracy. The political elites and their foreign collaborators are basically predatory. Their primary motive is to influence those in position of authority in order to protect their interests against the will of the people.

The end point and consequences of this power game as argued by Mahmud (2016) is that it has brought governance and socio-economic activities in Nigeria to halt and working against any policy that will favour socio-political and economic interests of the masses. The excessive influence of elites however brought governance to retrogression where mediocre has become the other of the day in governance. This however have serious negative impacts on the well being of the people and this has resulted to the existence of different form of corruption experiencing in all public institutions in Nigeria.

### **Conclusions**

As stated earlier in this paper, the issue of political elitism has become a major syndrome in Nigeria's political process. It has been in the context of preferring

political patronage to good governance and accountability associated with democracy. As argued by Omodia (2010), political elitism is a form of oligarchy that negates the principle of democratic value in Nigeria because, political elitism has promoted over monetization of electoral contest where only moneybag politicians could have their ways when it comes to issue of political patronage. Omodia (2010) maintained that electioneering contest in Nigeria is for highest bidders where ordinary Nigerians may not have the financial means to aspire for any political position of their choice. This therefore denied them constitutional rights to be voted for in an election.

However, Nigerian political elites see their involvement in politics as investments made to promote their socio-economic interests. They ensure that those they assisted to be in public offices use such offices to advance their interests at the expense of the well-being of the masses. Arising from this undemocratic act, this paper has established that political elitism is a major impediment to good governance and democratic sustainability in Nigeria. This paper therefore recommends that for successful attainment of good governance and democratic sustainability in the country, all democratic institutions need to be repositioned and well strengthened to eschew overbearing influence of political elites in Nigeria.

The over-politicization of core government policies to benefit socio-economic interests of the elites need to be discouraged. Government should develop a sustainable framework that can sensitize the electorates toward more political consciousness that will ensure a demand for accountability from their elected representatives including those non-elected members who are in position of authority at all levels of government in Nigeria. The electorates also need to be discouraged from expecting monetary benefits from candidates contesting for various positions at all levels of government. This is to enable them exercise their civic responsibilities without being influenced monetarily.

Instead, they should be bold enough to demand for good governance, transparency and accountability from their elected representatives. Also, all the major stakeholders in the nation's democratic project need to be more vigorously committed towards strengthening the nation's democratic system by assisting the government to put an end to all the anti-democratic conducts of the nation's political elites in the state.

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## **Politics of Securitization and the Dynamics of Farmers-Pastoralists Conflicts in Nigeria: The Imperative of Peacebuilding**

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### **Abstract**

*In Nigeria, farming and herding are the dominant means of livelihoods in the rural areas prior to, and after the discovery of oil in Oloibiri, in 1956. Violent conflict over resource scarcity is also concentrated in rural areas, where it is driven primarily by increased competition over agricultural and grazing land between farmers and pastoralists. As a result, it is the dearth of land vis-à-vis the users that sparks intense competition and violent conflict amongst resource users. The consequences of the farmers-pastoralists conflict undermine nation building; and calls to question, is peace building possible? Against this backdrop, this study interrogates the security dynamics inherent in the farmers-pastoralists conflicts in Nigeria, with a focus on the actions/inactions of the centripetal forces. Documentary method based on logical deduction was utilized to generate the relevant secondary data. Using the access theory, the study observed that there is an intractable conflict that exists between those that control access to resources (resource owners) and those seeking access to the resources (resource users). It concludes that state response in the context of the lingering conflicts between farmers and pastoralists has been both ad hoc and reactive, with no concrete and sustainable strategies for conflict management and peace building beyond the deployment of security or establishment of commissions of inquiries. To this end, it proffers some actionable recommendations for depoliticizing security that underlies the farmers-pastoralists conflicts in Nigeria.*

**Keywords:** Security, Farmers, Pastoralists, Conflicts, Peacebuilding, Access theory

### **Introduction**

The Nigerian state has more than ever before been challenged on its foundation, including but not limited to socio-economic, political, religious, cultural and military dimensions. The security instabilities in the polity have come to a national emergency. One of the instabilities in the polity is the growing conflicts between farmers and pastoralists and this, has serious security implications and challenges. Farmers-pastoralists conflicts in Nigeria have grown; spread and intensified over the past decade and today pose a threat to national survival. Thousands of people have been killed, communities have been destroyed and so many farmers and pastoralists have lost their lives and property in an extended orgy of killings and destruction that is not only continuously destroying livelihoods but also affecting national cohesion.

The violent clashes between Fulani herdsmen and sedentary farmers in Nigeria do not constitute an alien phenomenon in Nigeria; it is a phenomenon that has been in existence for decades (Blench, 2010; Okeke, 2014; and Abbass, 2012) which have resulted in the extensive loss of lives and property. The constant clashes have threatened the security of the state, reduced its economic productivity, and deepened food crisis (Okwor, 2016). Nigeria's population has grown from 33 million in 1950 to about 192.3 million today. This phenomenal increase of the population has put enormous pressure on land and water resources used by farmers and pastoralists. One of the outcomes of this process has been the blockage of transhumance routes and loss of grazing land to agricultural expansion, while the increased southward movement of pastoralists has led to increased conflict with local communities. This is particularly the case in the Middle Belt – notably in Plateau, Kaduna, Niger, Nassarawa, Benue, Taraba, and Adamawa States. Crop damage, attacks on cattle, and cattle theft/rustling are major conflict triggers that initiate violence between the two groups, which often leads to cycles of revenge attacks.

Nigeria has about 19 million cattle, much of it in the hands of pastoralists. Nigeria has a total of 417 grazing reserves out of which only about 113 have been gazetted. Pastoralists move their animals to these locations to access these opportunities. This system of production is breaking down today as violent conflicts between pastoralists and farmers have arisen and created a major national crisis (Nigerian Working Group on Peace Building and Governance, 2018). There were reported attacks in the first half of the year 2016. The reports showed the escalation in the crisis of Fulani herdsmen attacks on the farming communities in many states in Nigeria (HART, 2016). This escalated tension led to 300 hundred fatalities in February and 40 deaths in March (Mikailu April, 2016). Furthermore, 15 people were killed in May (Stein, 2016), and 80 deaths in July (Akinwotu, 2016). The list is endless.

There is a plethora of narratives identified in extant literature responsible for the hostility between pastoralists and farmers in the contemporary era of climate change, especially in the rural areas of Nigeria, nay Africa. However, the explanations are insufficient to identify the main reason behind the recent escalation of the conflicts. As a corollary to the above, the study analyses the politicization of security underlying the pastoralists-farmers conflicts and the masked quest for peace building initiatives in Nigeria.

### **Conceptual clarifications**

#### **Securitization:**

Security is “self-referential practice, because it is in this practice that an issue becomes a security issue—not necessarily because a real existential threat exists but because the issue is presented as such a threat” (Buzan, Waever, and de Wilde, 1998:24). Thus, securitization occurs when an issue is taken out of the realm of ‘normal politics’. The exact definition and criteria of securitization is constituted by inter subjective establishment of an existential threat with a saliency sufficient to

have substantial political effects. In a process of securitization there are the referent objects, those referred to by the securitization actor as constituting a threat, and functional actors, those who influence decisions in the process, but are not securitization actors (Maria, Paula & Daniela, 2008).

Security is about survival and the conditions of human existence (Buzan, 1991), the absence of which, creates the conditions for conflict. This means that the conception of security embraces non military dimensions such as the environment, ethno-religious and nationalist identities, poverty and human insecurity and disease. Security is therefore, inextricably linked to peace and the conditions that create conflict, which include the environment.

### **Conflict**

Conflict is usually based on scarcity of resources, power, or social position, and differing value systems. Conflict arises from a scarcity of positions and resources. It involves at least two parties. The parties are engaged in interaction composed of opposing actions and counteractions. Their behaviour is intended to threaten, injure, annihilate, or otherwise control the opposition, thus enabling the contending parties to gain at each other's expense. It also involves the acquisition or exercise of power or the attempt at acquisition or exercise (Himes, 1980). Moore (2005) opined that conflicts, per se, are not bad; rather, they are viewed as necessary if societies are to evolve and developed. Thus, conflicts sometimes can be a precursor of positive change.

In a nutshell, conflict is the pursuit of incompatible interest and goals by different groups. It reflects a determined action or struggle over a goal, which may be overt or subtle; manifest or latent. Conflict situation may surface through contrasting images of each party's intentions, inactions or actions (Best, 2007; Frances, 2007 and Akpuru-Aja, 2009). The minimal level of conflict which attracts external interference for conflict resolution is interpersonal conflict. However, conflict surfaces at different levels such as interfamily conflict; inter communal, interethnic, interreligious, interracial and international conflicts. Conflict at different levels, if unresolved, can lead to socio-economic and political deadlocks. Generally, conflict at all levels of the society is largely driven by competition over resources. These include financial resources as well as land, water and other natural resources such as energy.

### **Peacebuilding**

Peace building has been variously conceptualized by scholars. Peace building refers to "the attempt to overcome the structural, relational and cultural contradictions which lie at the root of conflict" (Miall, Woodhouse and Ramsbotham, 1999). Peace building is an action aimed at identifying and supporting structures which tend to strengthen and solidify peace in order to avoid a relapse into conflict. Peace building refers to activities, efforts and interventions which are directed at alleviating the sufferings caused as a result of breakdown in the social structure (Boutros-Ghali, 1992). In other words, it is the attempt to remedy the trigger and root causes of conflict. It is an attempt to surmount the structural, relational and cultural

contradictions which lie at the root of conflict in order to underline the processes of peace-making and peace keeping (Best, 2007). Peace building is a reactive strategy aimed at engaging multiple agencies to interact towards solving socio-economic challenges in order to have a good conducive environment for sustainable peace (Chinwokwu, 2015).

Peace building has since expanded to include many different dimensions, such as disarmament, demobilization and reintegration and rebuilding governmental, economic and civil society institutions. The concept was popularized in the international community through a onetime UN Secretary-General Boutros Boutros-Ghali's January 31, 1992 report: *An Agenda for Peace*. At the 2005 World Summit, the United Nations began creating a peace building architecture based on Kofi Annan's proposals. The proposal called for three organizations: the UN Peace building Commission, which was founded in 2005; the UN Peace building Fund, founded in 2006; and the UN Peacebuilding Support Office, which was created in 2005. These three organizations enable the Secretary-General to coordinate the UN's peace building efforts.

### **Theoretical Explication**

There are many social conflict studies in defining, understanding and analyzing the dynamic nature of conflicts between the pastoralists and farmers in Nigeria. The framework for analyzing this study is the access theory. Access theory, as articulated by Ribot and Peluso (2003), posits that there is a clear difference between the right to property or resources and the ability to access such. In view of this, they define access as some mediums through which people benefit from things (which in the case of farmer and herdsman is the land and its resources) (Ribot and Peluso, 2003). The theory of access is useful in the analysis of specific resource conflicts with the understanding of what various actors stand to gain or lose. The theory is not only useful in identifying actors who control some form of access, but it also helps in establishing what kind of relationship that exists between those that control access to resources and those seeking access to the resources.

Ribot and Peluso (2003) opined that access involves relations which are not static either with a group or individual's position level and power in the social relationship. Although the subject of research is all about resource conflict between the farmers and pastoralists, the theory also helps to look at the role those less dominant actors (Igbos, Yoruba, and other ethnic groups) that have control over access to resources play in the resource conflicts. Considerably, those who maintain access through some gatekeeper may also shift between forming alliances and clashing with each other (Ribot and Peluso, 2003). However, Ribot and Peluso maintained that, in using this model, it is imperative to concomitantly look at the bigger perspectives such as political, economic relations.

From the political-economic standpoint, these relationships can be broken down into three categories of access - access control, access maintenance and access gain. Access control is capacity and capability to arbitrate other people's access; that is the examination and path of action, the role of direction and regulation (Rangan,

1997) while access maintenance needs the spending of resources to retain a type of resource access (Berry 1993 as cited in Ribot and Peluso, 2003). This theory is relevant to the understanding of the conflict because land is such an important factor of production and access to it is essential for poverty reduction, empowerment of the poor and economic growth (Conroy, 2014). In essence, agriculture, which entirely relies on land, employs 75 percent of Nigerians and its significance cannot be downplayed (Onyia, 2015). Its importance explains why conflicts concerning land can be challenging to solve, especially in situations where there are no demarcations, and every group believes that another party is encroaching on its territory. Failure by two groups to resolve their territorial disputes can give rise to conflicts that last for years (Conroy, 2014).

The fact that the government has been slow in making demarcations and enforcing the existence of the boundaries has led to increased conflict over land. In some places where clear demarcations were made, the boundary marks have long disappeared. Consequently, each group moves to unilaterally appropriate themselves the exclusive rights to own a portion or a vast area, putting the occupation of the others into danger (Joseph and Rothfuss, 2014 and Kabir, 2016). There is one major point that differentiates property and access; access concerns ability, which relates to power while property relates to right (Ribot and Peluso, 2003).

The theory of access, when applied to conflict between the farmers and pastoralists, helps in contextualizing the access dynamics of rights and ability to enjoy such rights. In the context of the pastoralists and farmers' conflicts in Nigeria, the battle has always been embedded in the claiming right of ownership of land, either for sedentary farming or grazing. The conflict between farmers and Fulani herdsmen is centred on the four points of political economy. The farmers as indigenes see the land as theirs (ownership) and will not allow Fulani herdsmen to take over their means of crop production or further destroy their crops which are supposed to form part of their reproduction while on the other hand, the herdsmen see themselves as having ownership right of the land in the context of the grazing routes that were created and gazetted for them to graze.

Furthermore, labour as a factor of social relations of production can be said to have contributed to the modern day conflict between the pastoralists and farmers. The conquest by the British colonial master's over the present day Nigeria contributed in the pastoralists-farmers conflicts. The British colonial master's government and corporations operated a capitalist form of production and reproduction. The Nigerian government has towed that line of least resistance by formulating policies that benefit the government or influential individuals to the detriment of both the farmers and Fulani herdsmen which have contributed to the escalation of the conflicts as both have chosen to protect their means of livelihood at all cost.

From the foregoing, conflict induced by resource use seems interminable. The relationship between pastoralists-farmers is complex, because it interacts with many factors such as occupational characteristics, ethnic cleavages, religious affiliation, levels of income and education, to fuel conflict. It can be deduced that the pastoralists are more disadvantaged because they need to constantly be on the move



to find water and pastures for their animals. Sedentary farmers, in their desire to expand their farms to grow more food and increase their income, have encroached on grazing lands and stock routes and blocked access to grazing lands etc that were traditionally for the herders. To assert their rights of access to those resources, the pastoralists drive their animals into croplands, which they either consume or destroy. It is evident from the study that conflict, for whatever reasons, undermines the social order and is a threat to peace, human security, and national stability.

### **The Genesis of Farmers-Pastoralists Land Use Conflicts in Nigeria**

The genesis of the conflicts bordering on resource use between sedentary farmers and migrant pastoralists date back to the earliest written records and are mythically symbolized in many cultures (Blench, 2005). This position alludes that resources-based brawls are neither a recent phenomenon nor are they peculiar to any specific country or region. However, in sub-Saharan Africa, the 18<sup>th</sup> and 19<sup>th</sup> centuries are identified as the two historical epochs that heralded the struggle for power, conflict and brazen warfare between the Fulbe and the other sedentary peoples (Shettima and Tar, 2008).

Historically, relations between herders and sedentary farming communities have been harmonious. By and large, they lived in a peaceful, symbiotic relationship: herders' cattle would fertilize the farmers' land in exchange for grazing rights. Pastoralists relied on the availability of crop residues, more so during the dry seasons to feed their livestock, while farmers took advantage of the availability of the livestock to enrich their farms using their dung (Shettima and Tar, 2008). Nonetheless, even where confrontations ensued, the different groups often regulated them in such a way that their cohabitation was not endangered (Driel, 1999). The relationship was more of a love-hate affair with the two parties agreeing and clashing at times (Tonah, 2000). Unfortunately, sustaining that peaceful coexistence between migrant pastoralists and farmers has become a challenge due to climate change, which is further compounded by increased population of people and livestock.

Herdsmen, predominantly Hausa and Fulani, have long used migration and the nomadic herding of cattle, goats and sheep as a strategy for adapting to seasonal climatic variability (Blench, 2005). Tensions have grown over the past decades, with increasingly violent flare-ups spreading throughout the northern and southern states as incidents of violent conflicts between farmers and pastoralists have occurred in at least 22 of the country's 36 states. The conflicts have been commonly credited to Fulani herdsmen expanding from the traditional grazing routes into the agricultural land which in turn always results to conflict over access to pasture (HART, 2016). While the crop farmers accused the pastoralist of destruction of their crops and contamination of community water points, the pastoralist accuse the crop farmers of denying them access to grazing areas and occasionally rustling their cattle.

There have been several clashes between the Fulani herdsmen and the farming communities in Nigeria. In 2014, the escalation reached another level, with the Fulani herdsmen killing 1,229 people in comparison to 63 deaths in 2013 (Global Terrorism Index, 2015). With more than 500 deaths by July 2016, the conflicts have

been commonly credited to Fulani herdsmen (HART, 2016). In 2017, there were coordinated attacks against local farmers, such as the Agatu massacre in Benue State and the killing of 40 persons in Nimbo, Enugu State. The 2018 New Year killing in Benue State remains a national tragedy. Daily, bloodletting by pastoralists continues unabated with all the ominous implications for peace and security.

Apart from fishing, other agricultural activity in the Middle Belt (North Central region) part of Nigeria is carried out on land. It is the dearth of land vis-à-vis the users that sparks intense competition and violent conflict amongst resource users. Thus, both resource users find themselves inevitably intertwined, having to share land, water, pasture and other resources, a scenario that has often birthed social problems in a never-ending or intractable conflicts. What remains the Nigerian government's boldest initiative aimed at resolving land-related altercations is the Land Use Act of 1978, which vested ownership of all lands under government control. In each state, the Governor is the ultimate trustee of land, which is held in posterity for all Nigerians, and the Governor is assisted in her/his duties by a Land Use and Allocations Committee (LUAC) (Land Use Act, 1978. Chapter 202, Sections 1 and 2).

Arising from the above, this scramble for cultivable land created artificial scarcity and thereby heightened conflict among resource users, especially the farmers and the pastoralists (Akov, 2017). The escalation of the farmers and the pastoralists' crisis has made many Nigerians and international observers including the United States to consider Fulani herdsmen as the second most dangerous group in Nigeria after Boko-Haram group (Global Terrorism Index, 2015). In fact, some found them to be more dangerous than Boko-Haram since the latter activities are limited to North-Eastern part of the country whereas Fulani herdsmen are everywhere (Ovuakporie and Agbakwuru, 2016).

### **Beyond Grazing Rights: The Politics and Dynamics of Securitization of the People**

One of the greatest difficulties in addressing and resolving issues surrounding pastoralism is the politicization of legal regimes and the blockages to the enactment of or implementation of laws that can redress the key challenges posed. In 2012, a bill for the creation of grazing reserves for herdsmen in the 36 states of the federation was introduced on the floor of the Nigerian Senate. A similar bill was also introduced on the floor of the House of Representatives. The two bills were apparently meant to tackle the security challenges posed by the migration of pastoralists. To date, those bills have not come to fruition as legislators continue to work across purposes, sharply disagreeing on the merits of the bills. While some promoters of the bills argue that it will provide lasting solution to the conflicts, those against it insist that they were likely to fuel the conflicts. The result is that farmers-pastoralists conflicts remain intractable as a result of politics inherent in finding a lasting solution to this national security challenge.

The federal government has, over the years, explored various responses. In April 2014, President Goodluck Jonathan's government inaugurated an inter-

ministerial technical committee on grazing reserves, tasked with proposing strategies for ending the conflicts. Concurrently, the government set up a political Committee on Grazing Reserves, chaired by then Benue State Governor, Gabriel Suswam. The report issued by Suswam's committee called for the recovery and improvement of all grazing routes encroached upon by farmers and recommended that the Central Bank of Nigeria (CBN) release a total of ₦100 billion (\$317 million) to the country's 36 state governments for ranch construction. The National Executive Council (NEC) approved these recommendations but Jonathan's defeat in the March 2015 elections interrupted their implementation. Although the CBN released ₦100 billion to state governments, they failed to construct any ranches. On 19 January, 2017, the House of Representatives set up a committee to investigate accusations that the funds had been looted and report back within four weeks. The committee's findings remain unpublished to this day.

Soon after assuming office in 2015, President Buhari directed the Federal Ministry of Agriculture and Rural Development (FMARD) to formulate a comprehensive livestock development plan, including measures to curb farmer-herder clashes. In August, 2015, a FMARD committee recommended short-, medium- and long-term strategies, including development of grazing reserves and stock routes. On 25th January, 2016, the government announced it was presenting a plan to the Nigerian Governors Forum to map grazing areas in all states as a temporary solution for cattle owners until they could be persuaded to embrace ranching. Most central and southern states, however, opposed the plan, which they viewed as favouring Fulani herders. On 3rd March 2016, seeking to mollify this opposition, Agriculture Minister Audu Ogbah announced that the government was sending a bill to the National Assembly to prohibit cattle from roaming in cities and villages. He added that the government had ordered fast-growing grass from Brazil to produce 'massive hectares of grasses', which would be ready for consumption 'within the next three months'. More than two years later, there has been no further word about the cattle banning bill and the promised grass.

The federally-controlled Nigeria Police Force (NPF) and the Nigerian Security and Civil Defence Corps (NSCDC) are thinly deployed in rural areas and often lack early-warning mechanisms. Herders say they sometimes have to seek revenge because security forces take no action against attackers who kill them and steal their cattle. Farmers say the agencies' failure to respond promptly to distress calls and punish aggressors emboldens the herders. There is inefficiency of Police and Government Peace Committee in bringing lasting peace to pastoralists-farmers crisis. The state governments have failed in its responsibility to protect lives and property because they only respond after the conflict has occurred and not before it begins despite early warning signal. The Federal government has intervened by mobilizing the Nigeria military to restore law and order; however, bureaucracy and chain of command in the army delay the stationed soldiers to act, and delay in the response of the soldiers most time led to the both group (pastoralists-farmers) acting on self-defense before the arrival of the army or any security agent. Although, the government appears to be doing little in addressing the conflict pastoralist-farmers

head-on, nevertheless, the presence of the Nigeria Military in the community reduced the number of attacks.

In the midst of these elite conspiracy and deliberate plans to allow the status quo to remain, the farmers are at the receiving end. Thus, this asymmetrical nature of power relations between farmers and pastoralists in the contemporary period incubates conflict which remains the only viable means of empowering the pastoralists. This can be seen in the successes and rapidity of the attacks of armed Fulani herdsmen against communities in some states of the federation and the fact that the security forces are always caught napping. This brings the security question of Nigerians into greater focus. There have been allegations of inexplicable delays in the response of security forces in some communities where mass killings took place. What accounts for the inability of the security forces to apprehend armed Fulani herdsmen attackers during and after their attacks on countless Nigerians? Who gave them the sophisticated guns they used in unleashing mayhem on farmers? These questions beg for an answer ad infinitum. Are Nigerian citizen's lives so cheap? This question is important because the present Nigerian government categorizes every serious security challenge as a battle and creates a special military operation to defeat it. The question remains why has the present Nigerian government failed to deploy the full security tactics against the Fulani herdsmen serial attacks on farmers?

The farmers-pastoralists conflict is a clear example of how politics, expectations of wealth and natural resources intermingle and feed into the different positions stakeholders take in a conflict of this nature. We make bold to state that the silence of the present government on the menace of the Fulani herdsmen is treacherous to the promise to secure the populace.

### **Farmers-Pastoralists Intractable Conflicts in Nigeria: The Road not Taken**

There is no general consensus among social conflict theorists on the links between resource scarcity and conflict. But several researches on some specific case studies concluded that, strenuous struggles and competition over access to and control over natural resources arising from its decrease in quality and quantity; population migration; weak political institutions among others are responsible for resource tension and conflicts (Galtung, 1982; Homer-Dixon, 1991; Gleick, 1993; and Shetima and Tar, 2008). The violent conflicts between farmers and herders in Nigeria are unrelenting. The push and pull factors have in the last three decades led to migration of Fulani pastoralists from other ecological zones in West and Central Africa to Northern part of Nigeria especially around the shores of Lake Chad Basin. Their transhumance movements in search of vital pasture to mitigate the effects of desertification and other climatic conditions that heated their original ecological zone brought them in close contact with farming communities in the Lake Chad Basin. This led to several conflicts between native farmers and newly arrived pastoralists over crop damage by cattle and, also access to land.

The quest for unhindered access to and use of natural resources such as water, arable land, pasture and the like has become a national security emergency in recent years. This is perhaps why there has been an intensification of conflict between

farmers and herdsmen in Nigeria since the 1980s. Thus, the conflict between farmers and Fulani herdsmen is centered on the limited scarce resources which are captured in the political economy approach. The farmers, as indigenes, see the land as theirs (ownership) and will not allow Fulani herdsmen to take over their means of crop production or further destroy their crops which are supposed to form part of their reproduction while on the other hand, the herdsmen see themselves as having ownership right of the land in the context of the grazing routes that were created and gazetted for them to graze. In other words, the pastoralists have to move across, and graze on farmlands that belong to crop farmers.

There are social and political factors/dimensions, all of which work in combination to produce resource-use conflict. Ethnic dimensions also play a role in the conflicts between Fulani pastoralists and a population group of sedentary farmers, who are made up of a variety of ethnic groups. When conflicts occur between farmers and pastoralists, the state arbitration structures listen to farmers, thus leaving the pastoralists as helpless and defenseless victims. This is based on the position that it is the cattle that move to meet the farm; it's not the farm that moves to meet the cattle. Thus, the pastoralists argued that it is the colonial and postcolonial state's 'farmer-bias' in development policy that criminalizes the pastoralists as causing the conflict. It is our argument in this paper that the conflict between the pastoralists and the crop farmers are dependent on the rich owners of the livestock who sponsors the herdsmen with all kinds of weapons which they use in brutal killings and destruction of property.

One of the most important dimensions of the growing conflicts between pastoralists and farmers has been the breakdown of traditional conflict resolution mechanisms. In the past, when conflicts arise, they were settled by village heads and ardos, Fulani community leaders and if the need for payment of compensation arises, there were traditional systems and knowledge of how to assess damage done and the amount necessary to compensate for the damage and not profiteering. What we see today as a breakdown of traditional authority in the context of conflict management is a consequence of the takeover of their powers by the state at the federal, state and local government levels, through the ad hoc measures that are often time wasting and whose recommendations are not implemented.

The above scenario makes it impossible for peace mechanism in conflict resolution. In the resource-use controversy, there has been more heat than light in solving the problem. The truth that is subsumed in this pastoralists-farmers land controversy is simply that given an honestly designed policy framework (comprehensive permanent settlement of pastoralists embodying an institutionalized and functional mechanisms for pre-empting and resolving conflicts between farmers and pastoralists) to curb farmer-herder clashes, it is possible for the herdsmen to produce cattle for beef production in a modern way without moving round the whole place destroying the farms of other people. Both parties are victims of failure of government in the past who failed to plan for them. However, the conflicts over these resources can be surmounted through proactive government intervention (new policy framework that is both comprehensive and mutually beneficial to pastoralists and

farmers) in the form of conflict management and peace building mechanisms. This is the hard and the only way.

### **Conclusion and recommendations**

The recent bloody clashes between herdsmen and farmers represent a new dimension on the nation's security map. The excuse that migrant grazing is an immutable cultural preference of the Fulani is too dated, even unacceptable in the 2nd decade of the 21st century. Wealthy cattle owners should stop exploiting the ignorance of their young people whom they have condemned to a life of perpetual wandering – making them to amount to nothing but sheer menace to other hard-working people in their own communities. Pastoralism is not sustainable in Nigeria over the long term due to the high population growth rate, expansion of farming and loss of pasture and cattle routes. At the same time, pastoralism cannot end or be prohibited in the short term, as there are strong cultural and political economy reasons for its existence. State response in the context of the lingering conflicts between farmers and pastoralists has been both ad hoc and reactive, with no concrete and sustainable strategies for conflict management and peace building beyond the deployment of security or establishment of commissions of inquiries.

The findings indicate that the conflicts support a crisis economy that is gainful to the pastoralists as well as to some northern oligarchs who are the wealthy owners of the cattle. Following the above findings, we make the following recommendations for policy implementation:

- ❖ Efforts should be made towards modeling best practices of pastoral-farmer relations as evident in countries such as Chad, Ethiopia and Niger, where the existence of institutionalized and functional mechanisms for pre-empting and resolving conflicts between farmers and pastoralists enable them to live in peace.
- ❖ There is urgent need to reform and improve grazing arrangements that encourages ranching. We advocate for sedentary system of cattle ranching. There is indeed, the need for permanent settlement of pastoralists both in the far north and semi humid zone of the middle belt. It is important to focus on the development of grazing reserves as part of the solution.
- ❖ There should be efforts to strengthen or improve local peacebuilding and reconciliation mechanism

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## **Nigerian Security Forces in the Niger Delta Region: Professionalism in Crisis**

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### **Abstract**

*Why would Nigerian security forces credited with flying colours in awards and accolades in international assignments as UN peacekeeping operations be mired in notoriety in negativities in internal security management? This paper, relying on the Rentier State Theory (RST), investigates the malaise of professional reputation crisis rocking the Nigerian security forces especially in the South-South geopolitical zone in the country. The paper discovers that rentier mentality (profit without hard work) which compelled the Nigerian state to manage the oil rich Niger Delta region with authoritarian high-handedness with the military as its primary instrumentality had had an undermining effect on the officer-ship of the military itself. Thus, crises of professional reputation have now bedevilled Nigerian security forces especially for those serving in the Niger Delta region. The paper strongly recommends amongst others the summoning of a national security forum/conference with all relevant stakeholders in attendance to have a self examination in order to improve on whatever image still left of the Nigerian security forces in the Niger Delta.*

**Keywords:** Niger Delta, RST, Rents, Royalties, Security Forces, etc.

### **Introduction**

At a recent conference organised by the Department of Political Science, University of Ilorin, Kwara State, Nigeria, a panel chairman likened the Niger Delta as umbilical cord that is jealously guided and guarded by the bourgeois rentier state in Nigeria. The panel chairman was rather apt for the Nigerian State had and has continued to perpetuate a clamp-down style of militarism in the Niger Delta since the ascendancy of crude petroleum as the main source of her foreign exchange earnings and as a key contributor to the nation's Gross Domestic Product (GDP) (Ojameruaye, 2006; Ariweriokuma, 2008).

In this respect, the only *modus operandi* adopted or resorted to by successive regimes in Nigeria, except for the Yar'Adua/Jonathan administrations, to ensure an unfettered access to oil rents/royalties has remained the militarisation of the Niger Delta. Thus, the Niger Delta has been more of an epicentre of militarisation rather than of development; for the appearances of development through intervention agencies like the Niger Delta Development Commission (NDDC) in the region are at best cosmetic only after intense pressure essentially to appease aggrieved youths, communities, etc (Uranta, 2009).

However, Nigeria's state avidity in the extraction of oil rents/royalties from the Niger Delta region with the military as her key instrument has ever been

undertaken at the sacrifice of the professionalism of the officer corps of the Nigerian armed forces. Therefore, professionalism is sacrificed at an attempt to access oil rents. But what has been the impact of such exposure of the Nigerian state's armed forces to the Niger Delta region rich in oil wealth and lavishly flaunted by oil Transnational Corporations (hereafter TNCs)?

As its primary objective, this paper examines the crisis of professional reputation that has mired the once curvetted, revered and cherished Nigerian military and paramilitary institutions (the Nigerian Army, Air Force, Navy, paramilitary forces, etc) in the Niger Delta arising from the manner of militarisation they help the Nigerian federal authorities to orchestrate in the region. To attain this target, it begins with this introduction that is followed by a theoretical framework dependent on the Rentier State Theory (RST) and an extant literature review on professionalism of the officer corps. Then, the paper makes epochal presentations of Niger Delta protest movements from pre-independence to present day Nigeria, which was, of course, not without violent resistance from security forces in Nigeria. Finally, it makes an assessment of recurrent issues, happenstances, etc, that had violated and denied human and community rights of Niger Delta aborigines, which in totality had damaged and continued in damaging the professionalization of security formations serving in the oil rich region.

### **Theoretical Framework and Extant Literature**

The Rentier State Theory (hereafter RST) is one of several state-level theories (Singer, 1961) that explains the behaviour of states and their proclivity to the use of force especially where state sustenance is at stake. RST opines that states would be less reliant on their citizens for revenues derivable from tax since they acquire all state revenues from rents (i.e. an unearned profit). According to Gary (2011, p.1) RST is a,

political economy theory that seeks to explain state-society relations in states that generate a large proportion of their income from rents, or externally-derived, unproductively-earned payments, as its most basic assumption, RST holds that, since the state receives this external income and distributes it to society, it is relieved of having to impose taxation, which in turn means that it does not have to offer concessions to society such as a democratic bargain or a development strategy.

Two key components of rentierism in the context of this paper, according to Yates (1996, p.18) is the preponderance of a rentier mentality, an attitude of earning profit without commensurate hard work put in and the ascendancy of undemocratic tendencies (especially militarism) in rentier states. Thus, in a rentier state with a preponderance of a rentier mentality, the use of physical force through the instrumentality of the security apparatus of the state is often considered the most viable option, with all other interests and considerations including human rights, the environment, etc, subjected to secondary calculations (Ross, 2001).

This paper took as its point of departure the assertion that rentier states with a proclivity to use naked force to have an unfettered access to rents are characteristic of the state in Nigeria. However, while state and TNCs' avidity to oil and gas rents reigns supreme, the professional reputation of the security agencies, being the principal coercive agents of the state in perpetuating state intentions and interests is critically at stake. This position is justified by the fact that the conduct of security agencies in most oil states run contrary to the professional ethics of the military institution. This implies that the ideal professional roles of the military are sacrificed on the altar of state economic survival.

While it is not oblivious here that the deployment of physical force through the military is guaranteed even by the 1999 Constitution of the Federal Republic of Nigeria to keep both internal and external peace and order of the Nigeria state (Federal Constitution, 1999; Bassey, 2012, p.80), the frequency with which the military is in daily contact with the society especially in the Niger Delta through the Joint Military Task Forces (JMTF), a policy and an action often interpreted as a de facto declaration of a state of emergency in a region the Nigerian state desired to occupy for economic reasons leaves much to be desired. It is equally of concern for the sake of military professionalism and more so where the military institution belongs to the public bureaucratic profession (which draws salaries from state revenues acquired through oil rents and tax). Professionalism demands the observance and sustenance of ethical standards that guides the military profession (Perlmutter & Bennett, 1980, Quedraogo, 2014). It is a body of ethics that seek from her membership minimum standards of desirable behaviour (Janowitz, 1960, p.6).

Consensus definition and characteristics of officer-ship or professionalization had remained elusive and contested among military sociologists. Parsons (1980, p.29) point to three criteria of officer characteristics: "the requirement of formal technical training; skills in some form of its use must be developed; and fully pledged profession must have some institutional means of making sure that such competence will be put to socially responsible uses".

For Barber (1980, p.30) professional behaviour is defined by "a high degree of generalised and systematic knowledge; primary orientation toward community interest rather than to individual self interest; high degree of self-control and internalised ethics; and a system of rewards (monetary and honorary) that is primarily a set of symbols of work achievement...not means to some end of individual self-interest".

Huntington (1957, p.8) characterises the military profession as being endowed with "expertise in the management of violence; client-ship as responsibility to its client, society or the state; corporateness-group consciousness; and ideology-military mind".

From the above, the element of societal interest or self denial is common to all three scholars' postulations of the characteristics of military professionalism. Huntington (1980a, pp.42 & 48; 1957, p.9) in extending the frontiers of his propositions emphatically state that,

The expertise of the officer imposes upon him a special social responsibility. The employment of his expertise promiscuously for his own advantage would wreck the fabric of society...the client of every profession is society, individual or collectively...the responsibility to serve and devotion to his skill furnish the professional motive. Financial remuneration cannot be the primary aim of the professional man qua professional man. Consequently, professional compensation normally is only partly determined by bargaining on the open market and is regulated by professional custom and law...the officer submerges his personal interests and desires to what is necessary for the good of the service...the military man must forego personal advantage, lucre and prosperity...Egotism is beyond all doubt the most bitter enemy of the qualities essential to the officer corps.

It is on such premises that the paper evaluates the workings of security agencies in the Niger Delta, especially the near collapse of professionalism resulting from the rent reliance of her benefactor-the state in Nigeria. It should be noted that the rentier status of the Nigerian state created the crisis situation and the ensuing restiveness that necessitated the military occupation of the Niger Delta in the first instance (Bassey, 2011). Thus, the Nigerian state considers the professionalisation of the officer corps as a secondary factor vis-à-vis the rentier interest of the state.

### **The Niger Delta: Epicentre of Militarisation Since Nigeria's Independence**

Nowhere in the entire world has indigenous people not resisted resource exploitation by states and Transnational Corporations (hereafter TNCs), arising either from non-inclusion in the sharing of resource proceeds, ecological/environmental degradation, forest depletion, and other sublime forms of human right violations (Scott, 1977; Peluso, 1992; Gedicks, 1993; 2014; Falola & Genova, 2005; Bassey, 2013).

The accounts of resistance to TNC resource exploitation by the U'wa in Colombia, the Quichua in Ecuador, the Subanen and Igorot in the Philippines, the Mayans in Mexico, the Amerindians in Guyana, the Amungme and Komoro in West Papua, the Cree in Manitoba (Canada), the Chippewa in Wisconsin (U.S.A), the Chilkat, Alaska (U.S.A) are widely acknowledged (Gedicks, 2001). This section considers the reaction of the Niger Delta to state/TNCs resource exploitation in Nigeria.

#### **a. The Pre-Independence to the 1960 Era**

In the context of Nigeria, separatist agitations in the Niger Delta dating back to pre-independence to post-independence eras in Nigeria's developmental trajectory supposed not to be a far cry from similar resource resistance efforts in other parts of the globe (Tamuno, 1970; Gurr, 1995). However, this has never been in Nigeria, especially in relation to the Niger Delta region since crude petroleum was discovered in commercial quantity; which designated Nigeria as a rentier state that stops at

nothing including the use of force to ensure its sustenance through oil rents/royalties (Turner, 1980; Rothbard, 2013). It is in such circumstances that Clarke (2008, p.83) asserts that though Nigeria's "future floats on oil and gas, the beneficence of oil has brought not stability but contested legitimacy. Power struggles have marked the past 50 years. They have been unremitting and at times violent, as within the Niger Delta over the past decade..."

The separatist scenario Clarke (2008) painted above had its origin in a number of constitutional and economic developments from the colonial period up to the post-independence period. It could be recalled that following the creation of regions majorly along ethnic and linguistic considerations, minorities of which the Niger Delta (Ijaws) formed a formidable linguistic group protested being subsumed under the Eastern region dominated by the Igbo Ethnic nationality and instead clamoured for a separate state. It will further be recalled that the clamour for state by the Ijaws started under different names, first the Oil Rivers Protectorate (1891-93), the Niger Coast Protectorate in 1895 and during the Sir Willink Commission requested for among others the Ogoja State, the Cross River State, Calabar-Ogoja-Rivers State (or the COR State) and Rivers State (Willink Report, 1958, p.46; Anene, 1966).

Rather than satisfying the genuine yearnings for a state, the colonial authorities inaugurated the Sir Henry Willink Commission to inquire into the fears of the minorities. The four-man commission comprising of Henry Willink as chairman, Gordon Hadow, Philip Mason and J.B. Shearer, were mandated to work on the following terms of reference:

1. "To ascertain the facts about the fears of minorities in any part of Nigeria and to propose means of allaying those fears whether well or ill-founded,
2. To advise what safeguards should be included for this purpose in the Constitution of Nigeria,
3. If, but only if, no other solution seems to the Commission to meet the case, then as a last resort to make detailed recommendations for the creation of one or more new states, and in that case: (a) to specify the precise area to be included in such state or states; (b) to recommend the Governmental and administrative structure must appropriate for it; (c) to assess whether any State recommended would be viable from an economic and administrative point of view and what the effect of its creation would be the Region or Regions from which it would be created and on the Federation
4. To report its findings and recommendations to the secretary of State for the colonies" (The Willink Report 1958, p.ii)

The Willink Commission proposed the inclusion of a body of fundamental human rights into the proposed Nigerian constitution in allaying the fears of the minorities. The Willink Commission (1958, p.94) in its recommendations, however, observed thus,

We were impressed, in both the Western and Eastern Regions, with the special position of the people, mainly Ijaw, in the swampy country along the coast between Opobo and the mouth of the Benin River. We were

confronted, first with their own almost universal view that their difficulties were not understood at headquarters in the interior, where those responsible thought of the problems in quite different physical forms from those they assumed in those riverain areas...this is a matter which requires a special effort and the co-operation of the federal, Eastern and Western Government; it does not concern one Region only. Not only because the area involves two Regions, but because it is poor, backward and neglected; the whole of Nigeria is concerned. We suggest that there should be a Federal Board appointed to consider the problems of the area of the Niger Delta...

The Niger Delta Development Board (NDDDB) was set-up in cognisance of the above recommendation to tackle the special development needs of the minorities; an exercise the powers that be in Nigeria politicised by setting up similar boards like the River Basin Authorities in other parts of the country (Etekpe, 2005).

It was rather unfortunate for the colonial authorities to rely on the inclusion of a body of fundamental human rights in the proposed Nigerian constitution; a recommendation highly influenced by the legal background of Willink himself, in allaying the genuine fears of the Southern minorities, who in their bid for a COR State met all the criteria for state creation, among which was self sustenance (Udoma, 1994; Akobo, Isoun, & Asemota, 1996). In this direction the Niger Delta had remained a source of self sustenance and sustenance for various governments in Nigeria even from colonial times to present day Nigeria (Morel, 1902, p.92; Morel, 1911).

**b. From Political Independence, the Civil War through the 1990s to the Fourth Republic**

By divine happenstances, the minority areas designated as needing special development attention by the Willink Commission Report became blessed with crude petroleum, the commercial value of it catapulted Nigeria at her independence to a voice to be reckoned with, a big brother to the entire African continent and beyond (Adeniji, 2000; Apter, 2005). However, this new found wealth was not adequately used in the Niger Delta region as would be expected; a scenario which compelled Ray Ekpu (2008, p.15) to once observe that,

God seems to reserve, for reasons we do not know, the riches of oil and gas for impossible terrains: deserts, riverine areas, seas, forests and such other places where life is either extinct or is brutish and humdrum. So those impossible terrains survive side by side with the immense possibilities of massive wealth.

There is no other reason for God to graciously site oil reserves in difficult terrains as the Niger Delta other than for such wealth accruing there-from to develop and transform the people, their terrain, and to share with their neighbours of good will. As good as this sounds and pleasant to behold, the developmental needs of those

of the difficult terrains as the Niger Delta are cavalierly treated (Ngomba-Roth, 2007) and therein lies the paradox in Nigeria's development dilemma in the Niger Delta region (Azaiki, 2003; Aaron & George, 2010).

The insincerity displayed by the colonial authorities was thus handed over to the political leaders of Nigeria at independence. These developments created apprehension and the intensity for separatist agitations reign ripe among minorities like those of the present day Niger Delta (Akoshile, 1988; Bello, 1992; Eresia-eke, 1993). The Isaac Adaka Boro led insurrection marked the first armed protest in the Niger Delta against the federal might in Nigeria over grievances arising from lack of infrastructural development, ecological and environmental spoliations, etc (Boro, 1982).

The newly independent Nigeria was saddled with a civil war with secessionist Biafra; a war arising from irreconcilable differences mostly crude oil (Achebe, 1987). However, the international recognition and support on both sides of the conflict explains the primacy of crude oil in the Niger Delta as the basis of the civil war between the secessionist Biafra and the Nigerian state under the General Yakubu Gowon administration which claim the federal authorities' desire in prosecuting the war was to keep the corporate integrity of Nigeria (Stent, 1973; Stremmlau, 1977; Uche, 2008).

The 1990s witnessed cordial relations between oil TNCs and the state in Nigeria, a 'cooperation' ably assisted by security agencies servicing the interest of state and oil companies. While such relationships have remained cosy, it has over the years been inimical to the human and ecological interests of the people of Niger Delta (Turner, 1980; Watts, 2008). The apogee of this unholy relationship between state and company was the annihilation of the Umuechem community in Etchie, Rivers state, Nigeria (Onuoha, 2005, 2008; Omeje, 2006). The Justice Nko-Tariah led Commission of Inquiry into the Umuechem disturbances found the Nigerian security agencies culpable in taking sides with Shell in committing heinous activities bordering on the killing of armless protesters and levelling of a whole community (Frynas, 2000; Drohan, 2003).

The ecological devastations suffered by the Ogoni ethnic nationality compel Saro Wiwa and others to issue the Ogoni Bill of Rights which hitherto made claims bordering on environmental restoration. The tenacity of Shell and the state in Nigeria in continuing with oil extraction and the unwillingness of the Ogoni umbrella group, the Movement for the Survival of Ogoni People (MOSOP) brought the two groups to head on collusion. This culminated in the killing of Ogoni youths and the Ogoni nine including the prolific writer and poet Kenule Saro Wiwa. The aftermath of the killings had remained the militarisation of Ogoniland but at a cost of non-oil exploration activities in Ogoni with Shell ever remained a persona-non-grata in Ogoniland (Khan, 1994; Osaghae, 1995; Rowell, et al, 2005; Cummins & Beasant, 2005; Peel, 2009).

The Kaiama declaration of 1998 ushered in yet another period of militarisation by the manner the federal and military authorities interpreted the declaration to mean a kind of declaration of independence of the Niger Delta region



from the rest of the country (Ebiye, 2008). Perturbed by the audacity of the declaration, the administration of President Obasanjo reasoned it appropriate to ‘teach’ the people of Niger Delta an unforgettable lesson by annihilating Odi community under the guise of police action to arrest a couple of youths who security agencies interpreted as a threat to the peace of the Odi community, a line of action the military and police authorities thought it necessary to take in order to prevent reprisal attacks reminiscent of the invasion of Ijaws at Ayegunle, Lagos state by the Odua Peoples’ Congress (OPC) (Nwajah, 1999; Etekepe, 2007).

The ascendancy of the Yar’Adua/Jonathan administrations recorded an era of calmness in the Niger Delta resulting from the Presidential Amnesty Programme (PAP) which granted militants an unconditional presidential pardon. This era ushered in a fabulous window that enabled the Nigerian state to reap so much rents/royalties in crude petroleum; the complete civilian backgrounds of the presidents and their being imbued with the qualities of teachers - a characteristic not shared by the inherent nature of a military trained president of Third World background as Olusegun Obasanjo.

The inherent war-like nature of the military profession as Harold Lasswell (1941) envisioned decades ago caught up with Nigeria in 2015 when President Muhammadu Buhari ascended office as Nigeria’s president. Rather than toeing the antecedents of his immediate predecessors in continuing genuinely with the PAP to reap in maximum rents/royalties from oil in the Niger Delta, the administration instead reintroduced a campaign of conquest of entire regions with the Niger Delta as the administration’s conquest epicentre. Little wonder, then, the preponderance of diverse federal military operations codenamed “Operation Crocodile Smile”, “Operation Crocodile Dance”, etc. This unfortunate militarisation of the region had instead created a legion of belligerent groups (Table 3.1 below) which unleash incalculable damage to the oil economy of Nigeria so unbearable for the presidency and military authorities to handle. Time will tell where the future of the Niger Delta lies - for development or a sustained militarisation of the region.

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**Table 3.1 Belligerent Groups in the Niger Delta Region, 2016-Date**

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1. The Niger Delta Avengers
  2. Niger Delta Greenland Justice Mandate
  3. Joint Niger Delta Liberation Force
  4. Niger Delta Red Squad
  5. Adaka Boro Avengers
  6. Asawana Deadly Force of Niger Delta
  7. Niger Delta Revolutionary Crusaders
  8. Reformed Egbesu Fraternities
  9. Red Egbesu Water Lions
  10. Reformed Egbesu Boys of the Niger Delta
  11. Egbesu Mightier Fraternity
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Source: Fieldwork, 2016

The prevalence of such groups in the Niger Delta which had transcended from the eras of rebellion, insurgency and now to the belligerency phase (Agwu, 2011), is rather traceable to an admixture of grievance and greed motivations; a set of arguments which had polarised scholars in the Niger Delta Region (Egbe, 2012). Scholars of the grievance persuasion in the Niger Delta situate the prevalence of insurgencies to the lack of development in the region, poverty, a protest against oil companies and government (Falola & Genova, 2005) or consigning whatever appearances of development efforts in the region by the federal government since 1960 such as the Niger Delta Development Board (NDDDB) in 1960, the Presidential Task Force, 1979-1983 (the 1.5% Committee), the Oil Mineral Producing Areas Development Commission (OMPADEC) in 1992, the Niger Delta Environmental Survey (NDES) pioneered by Shell in 1995, and the Niger Delta Development Commission (NDDC) of December 21, 2000 as cosmetic only after intense protests from youths, communities, intellectual militancy, etc, which compel the state in Nigeria to rather adopt militarisation instead of dialogue (Uranta, 2009; Aaron, & George, 2010). What had remained characteristic of the state in Nigeria from pre to post-independence Nigeria is the acquisition of oil rents/royalties; an acquisitive tendency ready to deploy brute force of the military to quell resistance from oil communities of the Niger Delta.

#### **Security Forces in the Niger Delta: Professionalism in Crisis**

In continuing this discourse, the paper finds it expedient to give the following two narratives salient to the operations of the military in and towards the Niger Delta.

First, an indigene of the Niger Delta (name withheld) met his friend who happens to be a top ranking military officer and in their brief exchange of greetings and pleasantries, the military officer asked after the situation of the restive Niger Delta. The friend in return told the officer that the Niger Delta is not restive because if it were that restive as it is generally presumed, it is then a paradox and strange to military historical antecedents that a military officer serving in a restive, volatile or war environment upon transfer would ordinarily desire to return, work to be retained or work to be transferred to the volatile region if not for a couple of pull factors; such as the special allowances and medical care from the oil Transnational Corporations (TNCs), close working relations with the governors on security matters where security votes amounting to millions of naira are easily available for use, the nefarious oil bunkering deals, etc, in the case of the Niger Delta.

Second, an indigene of Bayelsa State (name withheld) who served in the Nigeria Mobile Police Force sought strenuously for years to be transferred to his state of origin after putting in the requisite mandatory years to qualify him for a transfer in order to pursue his comatose education career. He was denied. However, the officer took ill with a life threatening illness and without further interest indicative of a transfer; got transferred; meaning it would be economical on the part of the force authorities for the officer to die in his native state, at least nearer home. The officer did not die but his education could not be re-started for he has never gotten a 'sound mind frame' since the ill-fated sickness.

What is indicative of the above narratives is that force transfer to the Niger Delta region is a highly politicised and monetised issue only for those connected to either the military powers that be, those willing to pay through their way even by mortgaging months of salaries to a superior officer responsible for force transfers, or those who are ready to regularly remit agreed sums of money to relevant authorities in charge of force transfers. Monies committed or expended are not regretted by such officers seeking transfers to the Niger Delta as the *modus operandi* in recouping whatever spent is doubly sure.

This is further indicative that for the military and paramilitary institutions in Nigeria, postings of officers to the Niger Delta is one that is curvetted by all uniform men for it is considered a gateway to a life of opulence. A number of happenstances justify this assertion. First, military units on guard at oil platforms are placed on a separate salary by the oil companies aside other fringe benefits in form of feeding, medical care even for family members, transport, etc, that accrue to such 'lucky' officers.

Second, military formations on guard at oil formations are known to engage in a number of unwholesome extra-curricular activities. Firstly, uniform men do engage in oil rackets in the form and shape of selling crude petroleum by-products especially diesel to the always willing and available buyers usually stationed or awaiting in speed boats or vehicles not too far from the oil platform. The intensity of such businesses is noticeable on a clandestine visit to oil locations especially on Sunday mornings. The author, for example, had a reason to buy galvanised pipes from a dumpsite opposite a Shell yard near Yenagoa, the Bayelsa State capital, to have witnessed massive movement of drums of diesel to prospective buyers in a nearby location. Secondly, JTF staff on full military gear was caught in escorting a contractor to remove a transformer located within a community to another destination on account that the transformer had long been stationed without being energised. Such activities only go to show that the whole incident was meant to serve some unidentified powerful interests.

Third, the oil bunkering business and the proliferation of artisanal refineries scattered in the Niger Delta is not without the knowledge of security formations serving in the Niger Delta. Military units and oil platform guards are often in connivance with oil bunkers in a number of ways. One by creating the enabling environment in siphoning crude oil by a number of ways such as "topping up (i.e. "international oil tankers legitimately connected to Nigeria's export terminals take both legitimate deliveries and a large volume of illegal oil at the same time"), tapping (i.e. "puncturing oil pipelines and illegally tapping and pumping the product into barges and freight canoes") and well-head compromises (i.e. "breaking into wellheads, installing their own pumps and using hoses to load oil on to barges")" (Ikanone, Egbo, Fyनेface, Oduma & Evans, 2014, pp.23-24). Two, escorting siphoned crude tanker, an assignment that attracts enormous rewards in monetary payments and if not by physical escort, every crude tanker is made to pay agreed sum of money en-route to a local artisanal refinery or to the high sea for international buyers (Opukeme, 2008; Asuni, 2009a&b; Adeyemi, 2013; Ogala, 2013). These

practices cannot flourish without the compromise of the sea of military formations overseeing oil locations in the Niger Delta. It was in such circumstances that Chief E. K. Clark requested of erstwhile President Olusegun Obasanjo to,

Ask his security officers who the bunkers in this country are...the security agencies know those are doing the major bunkering-the mechanised bunkering, the professional bunkering, the commercial bunkering...the wealthy retired military officers particularly the Navy, where did they get their money from? Our boys even till today are helping them to do their job...even the Joint Task Force (JTF) have different types of job they are doing. First, they earn extra money from the government under the so called security funds where the in-thing is 'you chop-I chop'. Secondly, the oil companies have now realised that unless they use the military big boys for doing petty contracts they were not safe (Ajaero, 2008, pp.19-20).

Following this businessmen-in-uniform image painted of military formations in the Niger Delta by Chief E. K. Clark is an arcane disrespect for and violation of human rights by security forces serving in the oil rich region. The military in ensuring the will of the state in all issues of state interest are callous in not preserving the sanctity of human lives. The Niger Delta is one epicentre in Nigeria where human lives are at best equal to or less in value to animals especially where state oil rents/royalties are at stake. For instance, peaceful community protests to oil company premises for failure in honouring duly signed agreements are resisted with the brute force of the armed forces with scores of demonstrators left wounded or dead. The Umuechem protests (1990), Choba community protests, the Obunagha and Ogboloma youths protests (2015), etc, which left behind unsavoury images are worrisome to behold (Okhomina, 2015; Metta-Angoye, 2016; Maere & Marongwe, 2016).

Aside these protest related happenstances; human lives are also lost by wanton shootings for mere suspicions. In the recent past, scores of demonstrations and subsequent wailings marked the burial of innocent victims of JTF bullets in Yenagoa, Bayelsa state. The case of Izu Joseph, a footballer with Shooting Stars Football Club, Ibadan, readily comes to mind. The footballer was wrongly gunned down by the JTF in Yenagoa, Bayelsa state who claimed the victim was in a cultist den. According to eyewitnesses, the footballer was intentionally murdered because the victim shouted in saying, "I am a footballer, I am a footballer! I am not a cultist" and proved so by brandishing and showing his identity card to the soldier who looked at it but exclaimed 'Danburuba' only to shoot the victim again to death at close range (Tell, 2016, p.12; Masha, 2016).

It could also be recalled of several victims who lose their limbs to JTF bullets in Yenagoa, Bayelsa State. A youth (name withheld) of Akaranbiri town, Opokuma (KOLGA) who hitherto earn his living in the midst of excruciating unemployment by supplying building materials to building sites, lost the lower limb of his right leg to a soldier's bullet on account of a little delay in handing over a ₦100 note for a trip of

sand. It is so sorrowing that a vibrant young man who supplements his living and family sustenance suddenly depends on handouts from relatives and friends.

While such human rights violations are commonplace, the enormity of its prevalence or perpetration could be appreciated if assessed from the backdrop that postings of JTF staff to the Niger Delta since the era of “Operation Hakuri II” under Chief Obasanjo, had been done on ethnic or regional bias. Thus, the precedent since then is that to avoid troops with loyalty or affinity to regions and to prevent being lenient to such troubled regions, troops alien to troubled regions are procured to prosecute the peace mercilessly. Odi and Zaki Biam respectively fell under such sledge hammers. General Victor Malu under whose supervision “Operation Hakuri II” destroyed Odi boastfully said “I did a professional operation at Odi and if the occasion warrants I will do the same thing. I have no cause to apologise to the people of Odi” (Torulagha, 2004). However, on the occasion of “Operation Mesa” that destroyed his own community by soldiers sympathetic to the Odi massacre he said “my conclusion on the incident is that the army had specific instructions to...destroy the whole of my village” (Torulagha, 2004). In its entirety, therefore, this demeaning unprofessional retaliatory precedent has been set within the military in Nigeria’s internal peacekeeping trajectory.

Huntington (1980b, pp.48-49) caution against military involvement in politics in whatever form in that,

The military profession is expert and limited. Its members have specialised competence within their field and lack that competence outside their field...Politics is beyond the scope of military competence, and the participation of military officers in politics undermines their professionalism, curtailing their professional competence dividing the profession against itself, and substituting extraneous values for professional values. The military officer must remain neutral politically.

Rather than reframing, one awful reputation that military units especially the JTF is presently associated with in the Niger Delta is the engaging in extra-curricular activities demeaning of a full blooded combat soldier. The demeaning acts range from providing escort services to the wife of a politician and guard services at his home, safeguarding political parties’ campaigns and rallies, etc, routine escort of TNC expatriate staff not excluding gory scenes as holding out an umbrella on a sunny or rainy day for such expatriates. It is unethical of a professional soldier as epitomised by military scholars as Huntington (1957), Janowitz (1960) and Finer (2006) who envision that a professional soldier should keep a distinct distance from the society rather than to engage in such escapades mentioned above.

However, in the Niger Delta professionalism and its attendant ethics are cavalierly maintained. For example, in the campaigns leading to the 2015 governorship election in Bayelsa State, a JTF van on escort duty to one of the governorship aspirants knocked over a part-time students’ bus on their way to the Niger Delta University to take their final year examinations around 4pm. Eyewitnesses’ accounts were that the accident was entirely caused by the recklessness

of the JTF driver. Worse still, rather than thank God for no lives lost in the accident, the JTF crew was engaged in beating the driver of the bus which caused anger in some students and emotional breakdown in others, some of whom were witnessed by the author crying helplessly for the accident that never claimed any lives. The question is what professional roles is it that connects the JTF to political parties and their campaigns and rallies? What state or national interest that was at stake in escorting a political party campaign team?

Forces collaboration in combating crime, ensuring internal security, etc, is commendable but not when such collaborations are unlawful. In the Niger Delta region, force collaborations bordering on illegality is commonplace. It is one region prone to the proliferation of checkpoints of different security outfits at close proximity, which essentially portends that job specifications or stratifications are not considered distinct but in unison. Thus, security outfits like the police does custom, immigration, road safety, drug law enforcement, and general internal security assignments. However, when such usurpation of roles is pinpointed, the force in question immediately put a call through to the requisite sister force usually stationed in close proximity to intervene which in total error seem to legitimise the original 'illegal' conduct. Such conducts run contrary to their professional ethics. It is an effort at self aggrandisement rather awaiting laurels, awards, accolades, etc.

Such episodes would be interesting to a first timer to the Niger Delta to observe that a journey from Lagos (South West, Nigeria) is always traffic free until the Warri-Sapelle, Delta state axis of the East-West road. Then the Nigerian Police, JTF, NDLEA, Road Safety, Customs, Immigration, etc, checkpoints punctuate the journey in very short distances. On most occasions travellers are made to open up their luggage to a search which oftentimes end in futility but would still demand for a token bribe of ₦100. However, while such practices are commonplace in the Niger Delta, it could be recalled that in the late 1990s a traffic police officer usually on duty at the ever busy and chaotic Airforce junction, Aba road, Port-Harcourt was clandestinely watched by Shell for diligently doing his traffic assignment. Shell after a while rewarded the traffic warder with a brand new car. It is still possible for such kind gestures to be extended to deserving officers by corporate bodies, NGOs and even governments if only professionalism is emphasised.

Military sociologist, *Finer* (2006, p.5) was reputed in stating that "at first sight, the political advantages of the military vis-à-vis other and civilian groupings are overwhelming. The military possess vastly superior organisation. And they possess arms". For *Huntington* (1957, p.16) the soldier "lives and works apart from the rest of society"; he is "physically and socially has fewer non-professional contacts than most other professional men"; and "the line between him and the civilian is publicly symbolised by uniforms and insignia of rank". Such characterisations and ascriptions for the military are a far cry among the military in Third World countries. Military personnel are instead addicted to alcohol, marijuana, and indiscriminate sex; a life style acquired as regular customers to neighbourhood local joints reputable in alcohol (especially the locally brewed gin), Indian hemp and sex on sale. The link here is the close connection between alcohol and sex. It is interesting to note that most security

personnel are officers whose wives are far away from their duty sates; which in the interim satisfy their sexual emotions by patronising commercial sex workers. Security personnel of such frivolities indulge in sexual relationships unethical of their professional calling. What is of uppermost concern here is that promiscuous lifestyles as said above endangers his person and his security assignment by divulging information ordinarily he would not have given out, though everyman whether drunk or otherwise is armless to a woman he loves.

The image of the security personnel painted above is apt for those serving in the Niger Delta region. It is a regular occurrence that officers of the JTF security outfit into alcohol and sex induced friendship with community youths have often fallen prey to attacks to the same youths they dine and smoke with. It is of interest to note that the JTF recorded a bloody attack at Tombi waterside, Ogbolomabiri, Nembe, Bayelsa State on 9<sup>th</sup> August, 2016 on account of their closeness with criminal minded community youths who served the JTF men in sundry unwholesome roles such as conduit pipe to women and girls, running errands to get marijuana and alcohol. It was rather unfortunate that the JTF could not decode the original intention of the community youths' closeness to them; which solely was to get rid of the soldiers stationed at the Tombi water front, a site and military presence being an obstacle to their sea piracy activities and pipeline vandalism (Amaize, Oyadongha & Idio, 2016).

Finally, floating the Joint Task Forces (JTF) as a form of security outfit; an act hitherto implying a declaration of a state of emergency has remained a tool of internal repression (Ake, 1996). Therefore, the whole scenario of whatever ignominious acts perpetrated by the Armed Forces in the Niger Delta, the state in Nigeria is largely culpable in de-professionalising security forces, even as Nwozor (2013, p.23) argued that,

Joint Task Forces have different rules of engagement, which are outside the normal operational boundaries of regular security agencies. Their mandate is a quasi-empowerment to engage in war. The code names often associated with specific Joint Task Force operations underscore its direction and strategy. Generally, the strategies of Joint Task Forces are anchored in their ad hoc composition and non-allegiance to any specific security agency. Their driving philosophy is shaped by the mindset that only superior force can tackle insecurity. Thus, the Joint Task Forces are built around the military; exercise unlimited powers, even to the extent of abridging people's fundamental rights; and extra-judicially dispense with enemies of the state.

## **Conclusion**

In either peace times or in time of crises, the touch of the military on the everyday lives of civilians forms a major issue in Civil-Military Relations (CMRs) discourse (Schiff, 2009). However, how much contact the military makes with the society and the changes in the society of which the military forms a part affects the society and the military institution in diverse ways (Huntington, 1977).

In line of this thought, the paper concludes on the following premises. First, the civil-military problematique remains that the very military institution that is meant to protect the civilian population is still strong enough to become a threat to the very civilians they are meant to protect (Welch, & Smith, 1974; Feaver, 2005). The only antidote to this fear is the professionalization of the military institutions (Huntington, 1977). Second, the exposure of the military institutions to oil rich geo-political zones in Nigeria as the Niger Delta had grossly undermined the professionalism of the officer corps.

This is attributable to the services they render to the oil TNCs operating in the Niger Delta region and the bountiful or jumbo packages from the oil TNCs in return. Third, the federal authorities in Nigeria are caught in a web of international politics in the Niger Delta. It is that international commerce with crude oil as its international merchandise cannot avoid the use of military power as either a promoter, protector or a tool of aggression against it (Gerace, 2004). The Niger Delta is rather a victim of this intense game nations play especially in world capitals as Washington DC, London, Paris, Rome, etc, the totality of which compromise the professionalism of the officer corps of resource dependent rentier states as Nigeria.

The paper recommends thus,

- a. The Nigeria economy be diversified away from oil to agriculture in order to reduce the Nigerian state reliance on oil rents, a situation which put the Armed Forces to maximum use;
- b. Constitutional amendment be effected in ensuring that the deployment of the Armed Forces in Nigeria should no longer totally fall within the purview of the president alone but such deployment be made to seek approval from the National Assembly;
- c. Emphasises on the intellectual component of the officer corps by undergoing routine training be vigorously pursued.

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## **Election Administration and Democratic Sustainability in Nigeria: A Study of the Independent National Electoral Commission (1999-2015)**

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### **Abstract**

*Since the establishment of Nigeria's Independent National Electoral Commission (INEC) in 1998, the commission has conducted an unprecedented number of five quadrennial General elections from 1999 to 2015 and these elections have generated varying degrees of controversy; particularly at the Presidential level. This paper evaluates the role of INEC as a major stakeholder in Nigeria's election administration system, with a view to determining the implications of the institutional context of INEC for the sustainability of democracy in the country. Evidence gathered from interviews, surveys and focused group discussions suggests that the legal framework governing the election administration process between 1999 and 2015 have been evolutionary. However, the power to appoint the Chairman and Commissioners of INEC which is still vested in the Presidency continues to be a major factor militating against the structural independence of INEC. The paper also demonstrates that of the five general elections conducted by INEC within the period under study, only the election management team for the 2011 and 2015 general elections demonstrated a remarkable degree of neutrality and professionalism in the election management process. Finally, the paper concludes by noting that the alternation of political power from the incumbent to the opposition political party which followed the 2015 general elections represents a significant step in the de-politicisation of election administration and the quest for democratic sustainability in Nigeria.*

**Keywords:** Election Administration, Democratic Sustainability, Nigerian General elections, INEC.

### **Introduction**

The last quarter of the 20<sup>th</sup> century was characterised by an unprecedented increase in the number of "electoral democracies" across the globe. According to Diamond (2000, p. 16), "in 1974, there were only 39 democracies in the world". By 2009, not less than 148 countries were meeting at least the requirements of electoral democracy (International IDEA, 2009). Accordingly, the conditions for the sustainability of democracy have attracted the interest of scholars in recent years. Indeed, if democratisation involves the construction of "participatory and competitive institutions" as a number of analysts have concluded (Lipset, 1959, Dahl, 1996, Jinadu 1997, Bratton and Van De Walle, 1997), then election administration is crucial especially as it remains the most viable means for representation and democratic sustainability.

The management of elections also occupies a significant and strategic position in the sustainability of democracy; especially as the centrality of elections to liberal democratic politics presupposes the existence of impartial election administration. As noted by Jinadu (1997, p. 1) “The indeterminacy of elections, that is, the possibility of erstwhile winners becoming losers and erstwhile losers becoming winners- which is an inherent and necessary prerequisite of liberal democratic politics is to a large extent a function of an impartial administration of elections.”

However, the process of election administration in many “new democracies” continues to generate a lot of controversy, particularly with regard to the level of independence of Election Management Bodies (EMBs), their professionalism and the acceptability of the elections they conduct.

In Nigeria, the election administration process since the country gained political independence from the British has always resulted in controversy and crisis; arising mostly from the perceived collaboration of EMBs with the successive military and civilian regimes of the country’s post-independence period. The implication is that the history of election administration in Nigeria has been a history of controversy engendered by electoral malpractices.

A total of six different EMBs were established at various times to conduct the successive elections that have taken place in Nigeria’s post-independence history. Indeed, as Agbaje and Adejumbi (2006:2) note “over the years, the autonomy and capacity of EMBs in Nigeria have been suspect as reflected in its endless renaming and restructuring by successive governments”. In 1959 the Electoral Commission of Nigeria (ECN) conducted the first nationwide elections which ushered in Nigeria’s First Republic. The ECN which was composed of largely expatriate British administrators was replaced in 1964 with the Federal Electoral Commission (FEC). Following a highly contentious general election conducted by the FEC in 1964/65 and other socio-political and structural problems of the Nigerian federation, the First republic was toppled in a military coup in 1966 and the FEC was dissolved. In 1978 another Federal Electoral Commission (FEDECO) was established by the outgoing military regime of General Olusegun Obasanjo. FEDECO conducted the 1979 general elections that ushered in Nigeria’s Second republic. However, FEDECO was dissolved in 1983 by the military administration of General Muhammadu Buhari following a highly controversial election conducted in 1983. By 1987, the Babangida administration established the National Electoral Commission (NEC). In what was described as a “transition without end” NEC conducted the 1992/93 elections but was also dissolved in 1993 following the annulment of the 1993 Presidential election results and the exit of the Babangida administration. In 1994 the Abacha administration established the National Electoral Commission of Nigeria (NECON). NECON conducted elections at the local government and National Assembly levels but was also dissolved following the death of General Abacha and the emergence of the General Abdulsalami Abubakar administration in 1998. The General Abdulsalami regime established the Independent National Electoral Commission (INEC) which has conducted an unprecedented number of five quadrennial general elections from 1999 to 2015. While INEC is the longest surviving EMB in Nigeria, the elections it

has conducted have generated varying degrees of controversy, particularly at the Presidential level.

This paper evaluates the role of INEC as a major stakeholder in election administration in Nigeria from 1999 to 2015; with a view to determining the implications of the institutional context of INEC for the sustainability of democracy in the country.

The data used in this study was gathered between 2010 and 2015 through the use of questionnaires, interviews, focused group discussions and personal observation of the researcher. The questionnaire provided the aggregate ratings of a sample of four key stakeholders in the election administration process namely: INEC staff, political party officials, civil society organisations and the electorate. Interviews were conducted on some of the key stakeholders in the election administration system including; the representatives of political parties, some Resident Electoral Commissioners as well as a few Administrative Secretaries from INEC state offices. Focused group discussion was also conducted with some of the permanent staff of INEC drawn from across the country. The personal observation of the researcher from visiting 18 out of the 36 state branches of INEC across Nigeria also provided significant insights into the structure of election administration in the country.

## **Conceptual and Theoretical Issues**

### **Conceptualising Election Administration**

“Election Administration” appears generally as a nebulous concept due to the complex set of activities it entails. Yet, a critical examination of its meaning firmly establishes it as an empirical category. Election administration, as Jinadu (1997:2) notes, entails “the organization and conduct of elections to elective (political) public offices by an electoral body”. This definition, Jinadu aptly notes, subsumes both structure and processes. By structure is meant the bureaucracy that is established to organise and conduct elections such as an electoral body like INEC. It should be noted however, that apart from this specific bureaucracy whose primary function is the administration of elections, there are agencies or institutions like the police, security agencies and Civil Society Organizations (CSO’s) whose support and cooperation through the provision of logistic support is vital to the operation of the electoral body. By process however, is meant the rules, procedure and activities relating to among others: the establishment of electoral bodies, the appointment of their members, selection and training of electoral officials, constituency delimitation, voter education, registration of political parties, registration of voters, the nomination of candidates, balloting, counting of the ballots, declaration of results, and in some cases supervision of party nomination congresses (Jinadu, 1997).

In another breadth, electoral administration may be defined as the management and process of organisation of all stages of an electoral cycle (i.e. the pre-election, election and the post- election stages,) by an electoral body.

The foregoing definitions of electoral administration suggest the existence of an independent electoral body upon which the administration of elections is incumbent. However, the experience of some countries across the globe indicates that

election administration is not necessarily incumbent on an “independent body”. Indeed, as shall be shown later, despite the popularity of independent EMBs across the globe, it should be noted that in some countries; particularly amongst the advanced democracies of the west, election administration is the responsibility of government agencies which have developed a tradition of independence in the administration of elections. Furthermore, even amongst the independent model of EMBs, concerns often arise over the extent to which these bodies are actually independent. In the case of Nigeria, for example, the funding of the electoral commission as well as the appointment of its members which are examined in this paper, are two major factors that have complicated the structural independence of Commission. The import of the two definitions of election administration stated above lies in the exposition of the electoral administrative process as a structure, as well as a complex set of highly inter-related activities; and not just an activity - polling- as is sometimes misconstrued. Thus, a key conceptual issue that arises here has to do with what the constitutive elements of election administration are. What are the basic issues and steps with regards to the structure and process of election administration? In his submission, Kurfi (2005) identified nine key elements of electoral administration as outlined in Table 1.

**Table 1: Kurfi’s Steps in the Electoral Administration Process**

<b>Steps in the Electoral Administration Process</b>
<b>1.</b> Delimitation or the carving out of electoral districts
<b>2.</b> Compilation of voters register or electoral roll
<b>3.</b> Establishment and equipment of polling stations and polling booths
<b>4.</b> Recruitment, training and deployment of electoral officials
<b>5.</b> Logistics: involving the procurement, distribution and retrieval of a host of Electoral materials and equipment
<b>6.</b> Canvassing for votes
<b>7.</b> Registration of nominations and appointment of polling agents
<b>8.</b> Casting the ballot
<b>9.</b> Counting of votes and declaration of election results

*Source:* Adapted from Kurfi (2005) Pp.34-36

Table 1 above outlines some important steps in the electoral administration process. Yet it is not comprehensive; as the structural dimension of electoral administration and other post-election related issues which have significant implications for the sustenance of democracy has been ignored. In a more comprehensive submission, Elklit and Reynolds (2000) subdivided electoral administration into twelve basic steps as shown in table 2.



**Table 2: Elklit and Reynolds Steps in the Electoral Administration Process**

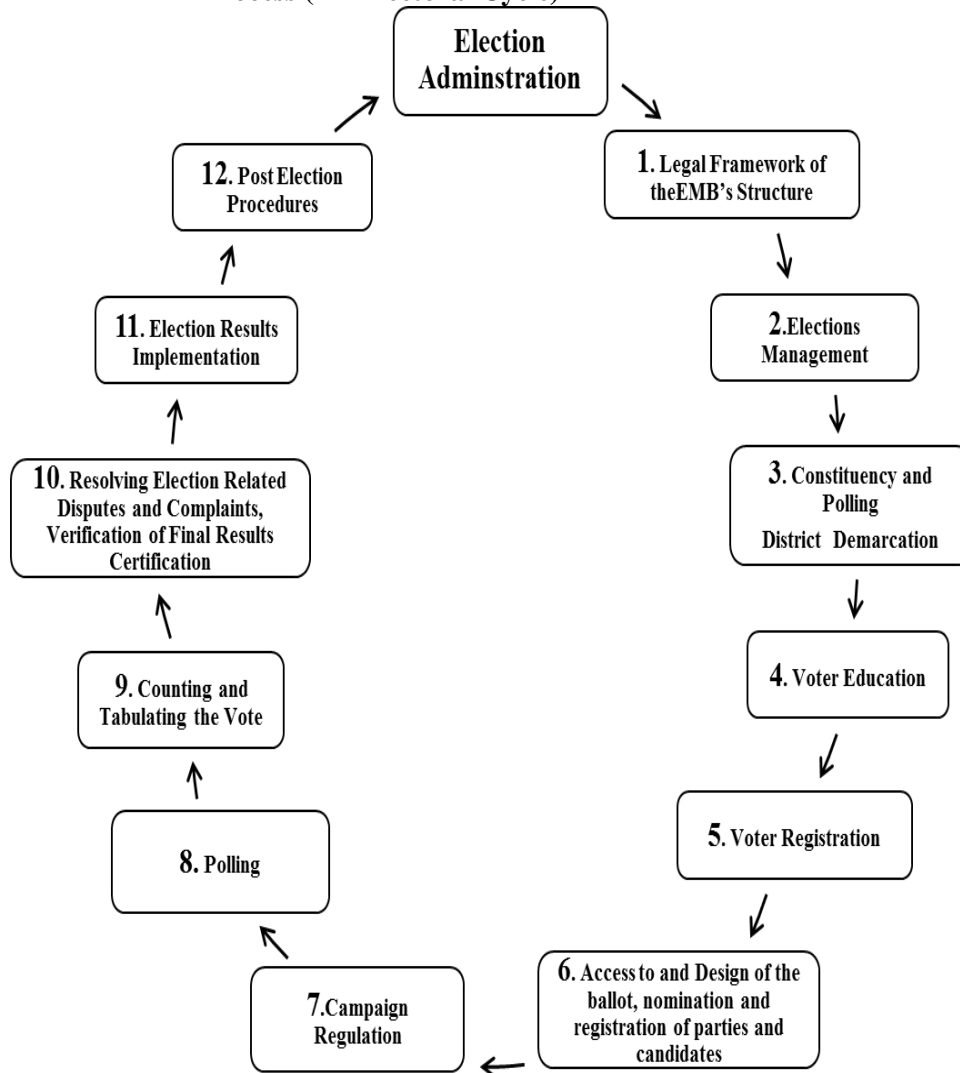
Steps in the Electoral Process	Important Element in Step
1. Legal framework of the EMB's structure	<ul style="list-style-type: none"> <li>• Constitutional /legal basis</li> <li>• Rules and regulation</li> <li>• Seat allocation system (i.e. method of composition of electoral commissioners)</li> </ul>
2. Elections management	<ul style="list-style-type: none"> <li>• Electoral commissions appointment and independence, including terms of tenure</li> <li>• Commission/administration relationship</li> <li>• Method of allocation of resources</li> </ul>
3. Constituency and polling district demarcation	<ul style="list-style-type: none"> <li>• Relevant body identified and active (i.e. which body is responsible for constituency and polling district demarcation)</li> <li>• Principles for delimitation identified</li> <li>• Rules about automatic periodical revision</li> <li>• Adequate resources available</li> <li>• Rules for handling complaints in place</li> </ul>
4. Voter education	<ul style="list-style-type: none"> <li>• Timing</li> <li>• Quality</li> <li>• Outreach</li> <li>• Adequate resources available</li> <li>• Relationship between electoral commissions efforts and efforts by parties and NGO's</li> </ul>
5. Voter registration	<ul style="list-style-type: none"> <li>• Automatic or voluntary registration</li> <li>• Appointment and training of registration personnel</li> <li>• Adequate time for registration and access to registration stations</li> <li>• Rules for public scrutiny of voter's register</li> <li>• Complaints procedure</li> </ul>
6. Access to and design of the ballot, nomination and registration of parties and candidates	<ul style="list-style-type: none"> <li>• Registration of parties/ candidates</li> <li>• Rules about independent candidates</li> <li>• Mechanism for ballot paper access</li> <li>• Ballot paper design</li> </ul>
7. Campaign regulation	<ul style="list-style-type: none"> <li>• Spending rules</li> <li>• Public funding of party expenditure/campaign costs</li> <li>• Access to public media</li> <li>• Rules for meetings and rallies</li> <li>• Codes of conduct</li> <li>• Rules for handling of violations of codes of conduct and campaign regulations</li> </ul>
8. Polling	<ul style="list-style-type: none"> <li>• Plan for distribution and location of polling places</li> <li>• Appointment and training of polling station personnel</li> </ul>

	<ul style="list-style-type: none"> <li>• Procurement of polling materials</li> <li>• Polling observation by representative of political parties and candidates as well as by local and international observations</li> <li>• Security and integrity of polling</li> <li>• Clear rules for assistance to incapacitated voters</li> </ul>
9. Counting and tabulating the vote	<ul style="list-style-type: none"> <li>• Counting procedures established (including whether to count at polling station level or at counting centers)</li> <li>• Availability of counting results to party agents and others at the lowest level of counting immediately after completing the count</li> <li>• Access for interested parties to observe the count and request a recount</li> </ul>
10. Resolving election related disputes and complaints, verification of final results. Certification	<ul style="list-style-type: none"> <li>• Provisions for special electoral courts and/ or adjudication system</li> <li>• Time limits for handling election disputes and complaints</li> <li>• Verification of the final results verified</li> <li>• Certification of the election</li> </ul>
11. Election results implementation (i.e. issuance of certificates to winners)	<ul style="list-style-type: none"> <li>• Procedures for taking office</li> </ul>
12. Post-election procedures	<ul style="list-style-type: none"> <li>• Provisions for publication of election results at all levels of electoral administration</li> <li>• EMB subject to ordinary accounting</li> </ul>

**Source:** Adapted from Elklit, J and Reynolds A. (2000), Pp 86-119

The twelve steps identified in Table 2 constitute the most basic elements of any electoral cycle; and the high degree of interconnectedness as well as the sequential nature of the steps may graphically be illustrated as in Figure 1.

**Figure 1: A Graphic Illustration of the Steps in the Election Administration Process (An Electoral Cycle)**



*Source: Moveh. D.O (2012), Pp. 17*

While Steps 1 and 2 in Figure 1 have to do largely with the structure of election administration, steps 3 to 12 comprise the steps involved in the actual process of conducting election and other post polling procedures. The arrangement of the steps of Election Administration in Figure 1 also highlights the sequence of activities of the major stages of the electoral cycle: Steps 3 to 7 capture activities

involved in the pre-election period, Step 8 captures the major activity of the election stage, while Steps 9-12 capture the activities involved in the post-election period. Due to the emphasis on the structure of election administration and also on the major activities involved in the major stages of the electoral cycle (i.e. the pre-election, election and post-election stages); the electoral administration process depicted in Figure 1 is more comprehensive. Indeed, the practicality of this model in understanding the trajectory of Nigeria's election administration process was demonstrated by Moveh (2012), in his empirical and comparative study of the four Presidential elections conducted by INEC prior to the 2015 elections. It should also be noted that the structural aspect of election administration is very critical in determining the actual process of the elections. In essence, the legal framework and the nature of the election management team as indicated in steps 1 and 2 in Figure 1, play a significant role in determining how the activities contained in steps 3 to 12 will unfold. For the purposes of this paper, the focus shall therefore be on the structural aspects of the election administration process-INEC.

### **Conceptualising Sustainable Democracy**

Studies on Election Administration are of general importance because they offer significant insights into a country's democratic development and enrich liberal democratic theory. An inquiry into the nature of Nigeria's election administration system is in effect, an inquiry into the "sustainability of democracy" in the country. The concept of "sustainable democracy" is therefore useful. Scholarship on democratic sustainability has developed rather implicitly under the rubric of democratic consolidation and within the parameters of liberal democratic theory. "Democratic consolidation" remains a highly contested term; yet, it has developed rapidly in contemporary Political Science, particularly in the field of comparative politics; with the "third wave of democratization". Indeed, once formidable authoritarian regimes of the former Soviet Union, Latin America, Asia and Africa were dismantled, two major concerns that preoccupied social scientists were: will these nascent democracies fall back to their authoritarian past? And what conditions might foster their struggle for democratic survival (sustainability)? In a broad sense, sustainable democracy therefore comprises all efforts towards the preservation and viability of "new democracies"; or simply put: regime stabilisation. In its basic connotation however, sustainable democracy implies the "effective" institutionalisation of elections as the mechanism for changing government. "Effective" as in what Jinadu (1997) refers to as the "indeterminacy of elections" or more specifically, the existence of opportunities for the alternation of political power through the ballot box. In this context, it can be argued that the 2015 General Elections in Nigeria, which for the first time in the history of the country resulted in the defeat of an incumbent regime by the opposition, represents a major milestone in democratic sustainability in the country.

Research on the "sustainability of democracy" is confronted by challenges deriving from the abstract nature of the concept. Classically, concepts and theories describe the epistemological complexities that arise from palpable concepts in the

objective world. Democratic sustainability does not necessarily fit this scheme. Indeed, given the cause and effect nature of this research, democratic sustainability represents the effect (i.e. the dependent variable). Thus, it is consequent or resultant in effect. The prospects of the survival of political regimes are not physical objects sitting out there before mental and linguistic apprehension (Satori, 1984). They do not represent empirical facts that can be seen and touched. Rather, they represent inter-subjective judgments on future developments which can be formed drawing on certain factual evidence: past, as well as present. Democratic sustainability is thus, not a thing, but an argument, not an object, but an inference. Accordingly, establishing empirical degree of sustainable democracy is not just a matter of observation, but of prospective reasoning (Schedler, 2001). Any judgment on democratic sustainability in a given country must thus, rest on both factual evidence and causal explanation.

Another key issue that arises is the lack of “explicit universal theories” to explain conditions for democratic sustainability. At the very minimum, democracy requires the existence of free, fair and credible elections; allowing the citizenry of a country to choose their representatives. While elections are a fundamental prerequisite of democratic sustainability, a functional electoral system does not automatically guarantee the existence of democracy or rule out the possibility of authoritarian structures and practices. To clarify the minimum requirements for democratic sustainability, O’Donnell uses Dahl’s conception of polyarchy which outlines a useful set of guidelines for democratic sustainability. Polyarchy has six requirements in addition to free and fair elections: universal suffrage, the right to run for office, freedom of expression, alternative sources of information and freedom of association (O’Donnell, 1996). These prerequisites, O’Donnell observes, should ensure that democracy functions at a minimal level. While Dahl’s minimal prerequisites of democracy are generally agreed upon, it is the unique political and socio-economic realities inherent in every fledgling democracy that makes generalisations nearly impossible. Indeed, the combinations of variables affecting most “emerging democracies” are varied and may include; but are not limited to: poverty, military guardianship, geographical problems, ethnicity, regionalism, absence of the rule of law, weak institutions and civil war. Thus, as ODonnell (1996:23) rightly cautions, approaches which seek to measure regime sustainability by “unwarranted generalizations casually drawn, and empirically untraceable measurement categories”, need to be avoided. By the same token, ODonnell further argued that “any meaningful appraisal must be steeply nuanced and set within the prism of the prevailing political environment and culture of the system in discourse”. In essence, fledgling democracies have different cultural, political, historical and socio-economic antecedents that complicate generalisation.

To control the possible effects of extraneous variables, it becomes imperative to approach the study of democratic sustainability with nuance and sensitivity. Thus, how does electoral administration become a basis for determining the sustainability of democracy in Nigeria? The answer is that amongst all potential variables that could determine the sustainability of democracy in Nigeria, election administration is the

most essential. Indeed, there has been a direct relationship between Nigeria's history of election administration and the collapse of democracy in the country. The inability to "sustain democracy" in previous attempts (i.e. in 1964/65 and 1983) in Nigeria is directly linked, among other factors, to the controversies of the past electoral administrative processes. Controversies which have arisen largely due to what Jinadu (1997) referred to as the politicised nature of election administration.

### **A Global Overview of Election Administration**

EMBs are classified according to different criteria. They are said to follow a "governmental approach" when elections are run by regular civil servants; a "judicial approach" when judges are selected to administer elections; a "multi-party approach" when party representatives compose the electoral body or an "expert approach" when political parties designate by consensus a group of experienced individuals renowned for their independence (Garber 1994; Harris, 1997). A more complex threefold classification of EMBs has been formulated on the basis of structural characteristics that combined recruitment methods with functions performed: permanent independent national electoral commissions, the "Mixed model" or the government ministry (Klein, 1995).

In addition, the institutional shape of EMBs varies with a country's political traditions and its experience of democratic development (Pinto, 2000). Table 3 presents a threefold categorisation of the structure of EMBs across the globe.

**Table 3: Summary Distribution of EMBs by World Regions**

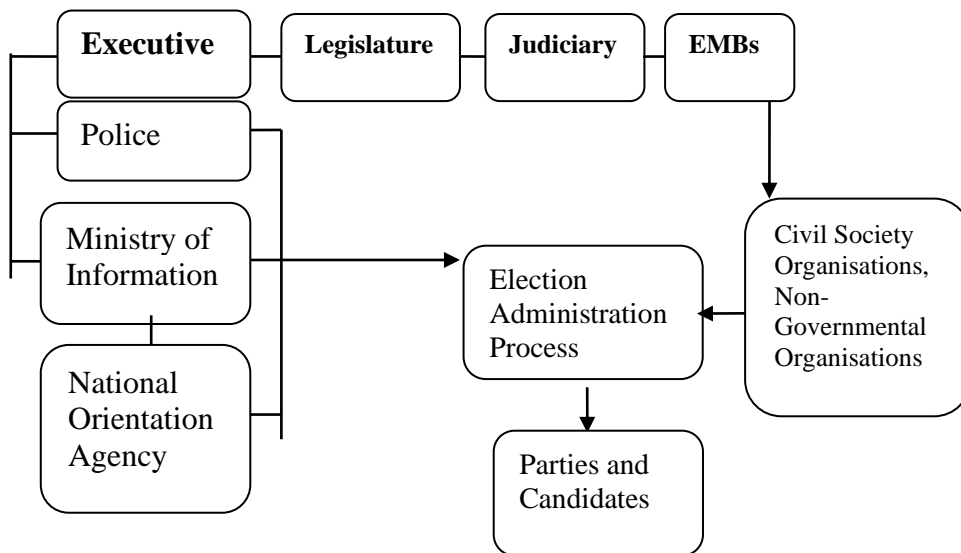
Institutional models	North America western Europe (%)	Latin America Caribbean (%)	Asia and the pacific (%)	Middle East and the Maghreb (%)	East and Central Europe (%)	Sub-Saharan Africa (%)	Total (%)	Number of cases per institutional model (%)
Government runs the elections	43	12	30	45	—	8	20	29
Government under supervisory authority (Mixed model)	43	18	7	33	33	39	27	40
Independent electoral commissions	14	70	63	22	67	53	53	79
TOTAL	100	100	100	100	100	100	100	148
Number of cases per region	21	34	30	9	18	36	148	

*Source: Pintor. R.L (2000), Pp.25*

In Table 3, while some patterns, notably elections run by the executive branch alone remained tied to history, the more general trend worldwide, particularly

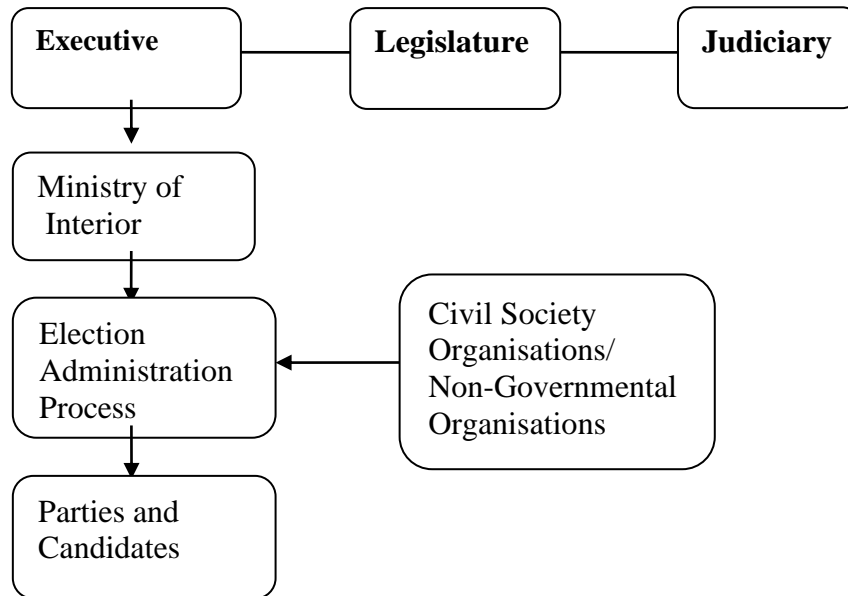
in the “nascent democracies” of Latin America, Asia, East and Central Europe and Africa is movement towards an independent electoral commission. Thus, most EMBs are recognised in constitutions as mechanisms to limit sudden change by executive action or ordinary legislative process. This is the case in some Latin American countries such as Costa Rica; where the constitution establishes the electoral authority as a fourth branch of government with the status of the executive, legislature and the judiciary. While many of the new democratizing states of Africa have given their EMBs constitutional status, very few of the EMBs in Africa have actually been established as the “fourth arm of government”. The Nigerian case which is examined in the following section is illustrative.

**Figure 2: EMBs as the Fourth Institution of Government (The Independent Model)**



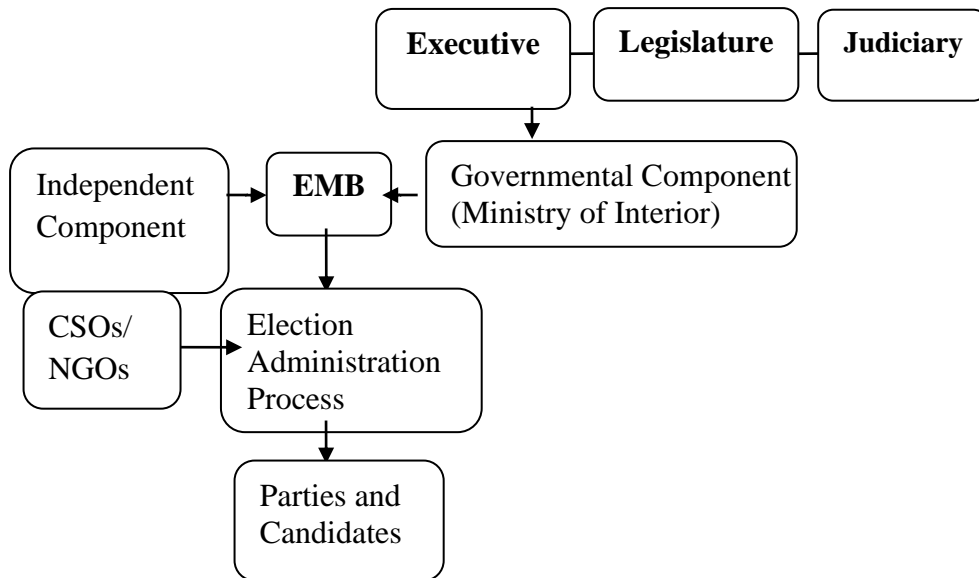
*Source: Moveh. D.O (2012), Pp. 91*

**Figure 3: Election Administration as an Agency of Government**



*Source: Moveh. D.O (2012), Pp. 91*

**Figure 4 A Mixed Model of Election Administration**



*Source: Moveh. D.O (2012), Pp. 92*



### **INEC and the Conduct of General Elections in Nigeria, 1999-2015**

The structure of INEC; by which I mean the legal framework establishing the commission and the method of constitution of the election management team from the 1999 to the 2015 General Elections in Nigeria can best be described as evolutionary. Evolutionary in the sense that progressive changes have been introduced, particularly in the legal framework governing the conduct of elections in Nigeria. Indeed, each of the general elections from 1999 to 2015 was conducted on the basis of an improvement in the Electoral Act.

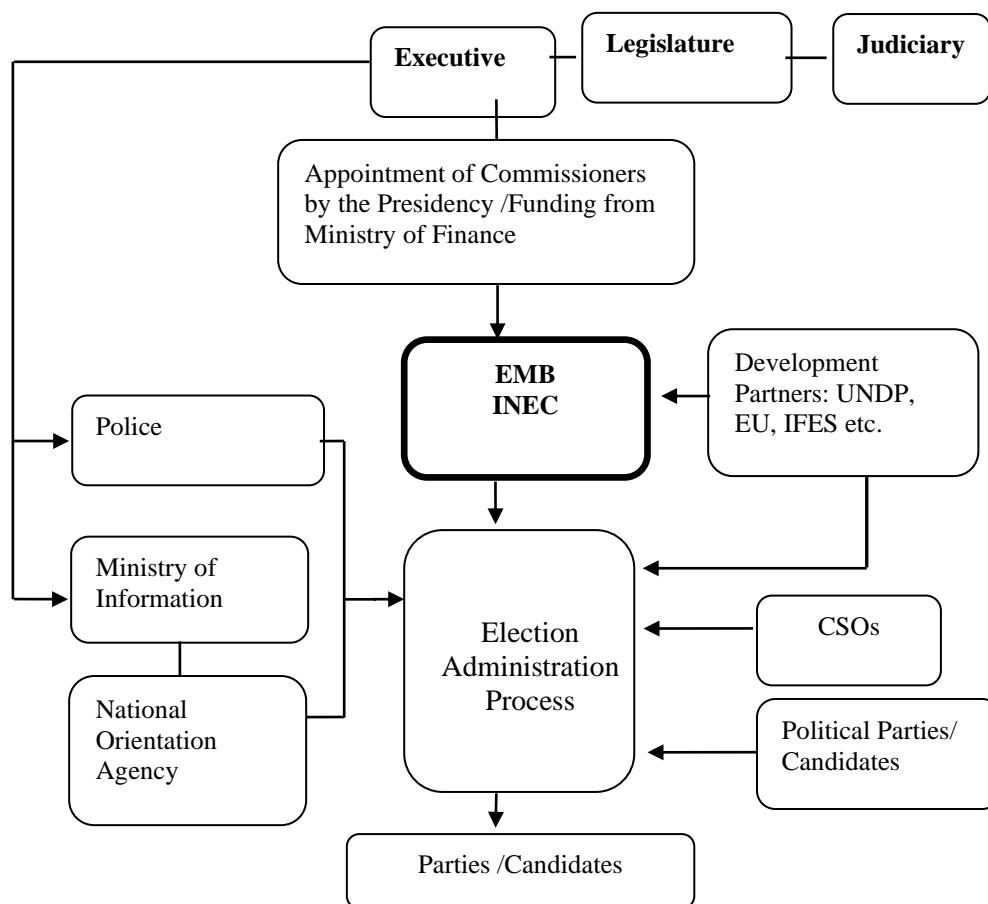
There are two crucial areas in the structure of INEC which compromised its independence with implications for the electoral process. These are: the method of constituting the electoral management team or commissioners and the funding of INEC. As I shall attempt to demonstrate, while there were improvements with regards to the funding of the 2011 and 2015 General elections, the method of the constitution of the election management team continues to pose structural challenges for the independence of INEC.

#### **The selection of INEC's Election Management Team and the General Elections**

The methods of selecting members of electoral commissions may generally be classified into two. The first option involves appointing only members who are not partisan or politically inclined, while the second option involves the appointment of people on the basis of their political affiliation. In essence, the neutrality expected of the electoral commission may take two forms:

- a. Either a deliberate consideration of the political dimension; with the risk of partiality which is expected to be averted through a balanced representation of political forces; or
- b. The exclusion of political parties in the selection of the members of the commission, and the demand for non-partisan affiliation of individuals to be appointed into the commission (Hounkpe & Fall, 2011:11). This has supposedly, been the case in the constitution of members of all Nigeria's electoral commissions including INEC.

In the appointment of electoral commissioners, Section 154 (1) of the 1999 Constitution of Nigeria empowers the President to appoint the Chairman, national and resident electoral commissioners of INEC subject to confirmation by the senate. While this provision was not operational in the 1999 General elections, it was widely suggested that it ensured that former President Olusegun Obasanjo appointed unofficial members; or at least sympathizers of his political party -the People's Democratic Party (PDP) as commissioners to serve in the electoral commission during the conduct of the 2003, and 2007 General elections. The constitutional provisions empowering the President to appoint the Chairman and Commissioners of INEC remained during the 2011 and 2015 general elections. Yet, evidence as shall be seen in the subsequent sections suggest that the election management team during those elections (2011 and 2015) were more neutral particularly in comparison with the management team of the 2003 and 2007 General elections (Moveh, 2012).

**Figure 5: Nigeria's Election Administration System (1999-2011)**

*Source: Moveh. D.O (2012), Pp. 103*

As can be seen in Figure 5, the significant influence of the President in the appointment of members of INEC ensures that Nigeria's EMB does not conform to the independent model as in figure 2, the governmental model as in figure 3 or the mixed model as in figure 4. Indeed, the undue influence of the Presidency in the appointment of Chairman and Commissioners of INEC is either a deliberate infraction on the structure of election administration or an apparent lack of understanding as to which model of election administration to operate in Nigeria. While INEC is presented and labeled as an "independent body" it has in reality been constituted as an extension of the executive (figure 5 is indicative). For example, in all the INEC offices visited across Nigeria shortly before the 2015 general elections, the official vehicles of INEC; including the Toyota Land cruiser jeeps of the Commissioners had vehicle plate numbers tagged "Presidency". Thus, to what extent

can INEC be independent when even the logistics of its Commissioners is tied to the executive?

Furthermore, it will be noticed in figure 5 that there are other institutions controlled directly by the executive which play important roles in the electoral administration process. The police for example provide security; while the Ministry of Information and the National Orientation Agency play important roles particularly in the area of voter education. Civil society organisations also play an important role in voter education. Political parties however, played a rather negative role (through state governors and local government chairmen) in the electoral administration process. Political parties in Nigeria are not members of the management team of INEC; yet, apart from being subject to the electoral administration process, political parties and candidates played a part in the administration of elections in Nigeria. Information gathered from focus group discussions amongst INEC permanent staff indicated that political parties and candidates provided part of the logistics for the administration of the 2003 and 2007 General elections; with a view to influencing the outcome of the process in their favour. For example, in the voter registration exercise of 2002 and 2006, electricity generators for powering the computers used for registration exercise and the accommodation for electoral officers were provided by political parties through the state governors and local government chairmen. When asked if the Commission, had not made any arrangements for the logistics for the elections, the respondents noted that except for the activities leading to the 2011 and 2015 General elections, in the 2003 and 2007 General elections, the commission told electoral officers to liaise with their governors and local government chairman for logistics. This is corroborated by the Chairman of INEC who noted with regards to the logistics of the 2011 General elections:

...we met a budget on ground and you are aware that the 2010 appropriations were reduced. That budget cut also affected us because while we were requesting for 74 billion Naira for the direct data capture machines and other logistics, our capital budget was reduced by 8 billion. That money was meant to address some of the infrastructural decay in our state and local government offices which are in a state of disrepair...we will be making a representation to the government on this so that we will reduce to the barest minimum the dependence of our staff on governors and local government chairmen for some logistics because we found out that some of them (INEC Staff) make themselves available to be used by going to the governors and local government chairmen to request one favour or the other (Daily Trust, 31<sup>st</sup> August, 2010: 21).

Indeed, while the funding of the activities of the commission during the 2003 and 2007 general elections was also one of the major issues that compromised the independence of INEC, the amendment of the legal framework of the election administration process in 2010 (i.e. the 2010 electoral act and the 1999 constitution) guaranteed the independence of INEC in the area of funding.

INEC is now funded directly from the federation account, which had not always been the case. Prior to the amendment of the 1999 constitution, INEC was funded like any other government agency— i.e. it was expected to submit its budget for approval by the National Assembly, and it would await the bureaucratic processes of fund disbursement. During the 2003 and 2007 elections, disbursement of funds for the conduct of elections was therefore a major challenge that led to substantial delays in the electoral process. For instance, voter registration was delayed in 2003 and 2007 because of the delayed disbursement of funds.

Under the current procedure of funding the commission directly from the Consolidated Revenue Fund, the commission is able to prepare its budget for approval, and thereafter funding is disbursed directly to the commission through the Independent National Electoral Commission Fund (INEC fund), which was introduced in the 2006 and 2010 Electoral Acts. The establishment of the fund has enabled the Commission to directly manage the disbursement of its funds.

### **The Legal Framework of Nigeria's General Elections**

The legal framework of Nigeria's General elections from 1999 to 2015 has been evolutionary. During the 1999 General elections, the military relied on Decrees and ad hoc regulations to guide the transition process. In August 1998, the military Head of state General Abdulsalami Abubakar issued Decree Nos 17 and 33 (now an Act of the National Assembly) which established INEC to manage and oversee the election administration process. Under Decrees Nos. 17 and 33, INEC was empowered to issue guidelines governing the conduct of the elections. While the decrees and regulations imposed by the military was done with almost no consultation with the populace, the "legitimacy" of the legal framework of the 1999 General election was established by two realities. First, is that as non-contestants in the election, the departing military had no overtly vested interest in the outcome of the elections; particularly in comparison with the incumbent regimes during the subsequent General elections of 2003 to 2015. Secondly, all the political parties had relatively the same advantages.

In the case of the 2003 General elections, the 1999 constitution of the Federal Republic of Nigeria and the 2002 Electoral Act served as the legal framework for the elections. Problems inherent in the legal framework of the 2003 General elections particularly the 2002 Electoral Act climaxed in a petition filed by INEC in early October 2002. INEC petitioned the court asking that the 2002 Electoral Act be declared unconstitutional because the Act required the State, Federal and Presidential elections to be held on the same day. INEC argued that the constitution gives it and not the National Assembly the authority to set dates for the elections; and also contended that it lacked the capacity to simultaneously run all the elections on the same day. The controversy over the 2002 Electoral Act was to be a major setback for the legal framework of the 2003 General elections. Indeed, as noted by the National Democratic Institute (NDI, 2003:23): "doubts over the legal framework of the 2003 elections threatened to derail the process". While the 1999 constitution of Nigeria in the Third Schedule Part I, sub section 15(a) makes the administration of elections in

the country the responsibility of INEC, the National Assembly complicated the task of INEC by its attempt to infringe on the powers of the commission to set dates for elections.

In the 2007 General elections, the 1999 Constitution of the Federal Republic of Nigeria and a new Electoral Act adopted in 2006; as well as regulations and guidelines issued by INEC served as the legal framework of the elections. Part 2, Section 9(1) of the 2006 Electoral Act which was an improvement over the 2002 Electoral Act, empowered INEC for the first time to appoint the secretary of the Commission. Another significant improvement in the Electoral Act is as contained in section 3(1) of the Act which states that “there is to be established for the Commission a fund to be known as the Independent National Electoral Commission Fund” to provide INEC with financial independence. Furthermore, unlike in the 2002 Electoral Act, the 2006 Electoral Act in section 10(5) clearly outlines the procedures and timeline for the voter registration exercise. However, a number of problems were still not addressed by the legal framework for the 2007 Presidential election, especially with regards to the independence of INEC. Most significantly, the President continued to appoint INEC Chairman and Commissioners at the federal and state levels after consultation with the Council of State and confirmation by the Senate. Other significant issues not addressed by the 2006 Electoral Act include the absence of a requirement for results to be displayed at the polling station level and for the breakdown of polling station results to be displayed at all superior levels of the election administration, a lack of adequate procedures for the handling of complaints and appeals before election day and a lack of time limits for the publication of results and for the determination of election petitions.

In the 2011 and 2015 General elections, the legal framework remained the same. Both elections were conducted based on the 1999 constitution as amended and the 2010 Electoral Act- a revision of the 2006 Electoral Act. It is important to note that the debate on the passage of the 2010 Electoral Act coincided with the debates on constitutional reforms ahead of the 2011 elections. The review of the 2010 Electoral Act therefore concentrated on issues that previous electoral reform efforts could not address because they required the amendment of the 1999 constitution.

One of the major significance of the 2010 Electoral Act was that it addressed the ambiguities surrounding the appointment and dismissal of Resident Electoral Commissioners (RECs). Prior to the passage of the 2010 Electoral Act and the amendment to the 1999 constitution, the chain of command between the Commission and the RECs was ambiguous, as the legal framework was silent on the procedure for their removal from office. This was viewed as a challenge because the RECs were not answerable to the Commission, but rather to the President who appointed them. This issue was however addressed in the 2010 review of the 1999 Constitution and the Electoral Act by providing for the tenure of RECs and their accountability to the Commission.

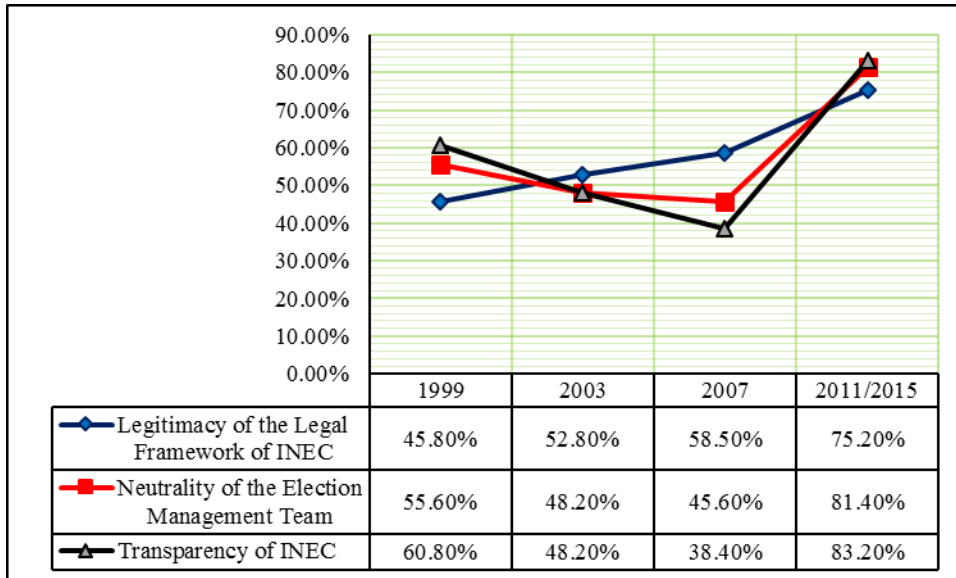
Another significant development in the legal framework of the 2011 and 2015 General elections was the amendment of the 1999 Constitution to provide for the financial autonomy of INEC by charging its budget and the salaries of its

Chairman and Commissioners to the Consolidated Revenue Fund. Prior to the amendment of the constitution the salaries and allowances of the Commissioners was charged directly on the consolidated revenue reserves, but election expenses were not. This created serious problems for the election administration process; as INEC had to join the queue at the Ministry of Finance for its funds. Other issues addressed in the legal framework of the 2011 and 2015 General elections include: the timing of elections, the jurisdiction of the courts in determining election petitions, the composition of election petition tribunals and the time limits for determining election petitions. Overall, the legal framework of the 2011 and 2015 General elections provided an adequate basis for the conduct of elections in accordance with international principles (EU EOM, 2015). While the legal framework of the 2011 and 2015 General elections took into consideration some of the recommendations of the Electoral Reform Committee which was set up after the 2007 General elections, a number of other key issues such as the appointment of the Chairman and Commissioners and the unbundling of INEC have still not been addressed in the legal framework of election administration in Nigeria.

#### **Neutrality of the Election Management Team**

At the apex of the election management team of INEC in the 1999 to 2015 General elections is the Chairman, and 12 National Commissioners. Overtime the reputation of successive Chairmen and Commissioners, particularly with regards to their neutrality has been suspect. While the neutrality of the Chairmen and Commissioners of INEC continues to be undermined by the undue influence of the President in their appointment, evidence as in Figure 6 suggests that amongst the top management team of INEC in the 1999-2015 General election, that of 2007 have been the most controversial.

**Figure 6: Aggregate Percentage Ratings of the Structure of INEC in the 1999-2015 General Elections**



*Source: Moveh. D.O (2012), Pp. 196*

In 1999, Justice Ephraim Akpata (Rtd) was selected to chair the Commission and according to the report of the Carter Centre:

In the 1999 elections, INEC developed a reputation for neutrality and fairness during the transition despite its members being appointed without public input or scrutiny. However, at the state level, some INEC officials were seen as partisan supporters of the military government or a given political party (Carter Centre, 1999:17).

While there were reports suggesting that some of the Commissioners of INEC particularly in the state offices were agents of the military regime, officials of the major political parties suggest in an interview that in comparison to the 2003 and 2007 Presidential elections, the election management team of the 1999 General election was more neutral.

For the 2003 elections, INEC was under the chairmanship of Dr Abel Guobadia who was appointed in 2000 following the death of Justice Ephraim Akpata (Rtd). Unlike when INEC was under the chairmanship of Akpata, political party officials and members of the civil society were of the opinion that the neutrality of the election management team under Abel Guobadia had begun to wane during the conduct of the 2003 General elections. The reason for this as gathered from interviews conducted was the structural incapacitation of INEC, particularly in the area of funding and appointments of Commissioners, as well as the obvious vested

interest of the incumbent regime which was bent on retaining power. Guobadia became the first Chairman to resign his post after completing his tenure in 2005.

By 2007, the extent to which the election management team was perceived to be neutral as indicated in Figure 6 was at its lowest ebb. Professor Maurice Iwu who was the Chairman of INEC at the time of the 2007 Presidential election had come under severe criticism for conducting what was severally described as the worst election in Nigeria's history (EU 2007, NDI 2007, LEMT 2007). Indeed, from 2003 to 2007 the Chairmen and Commissioners of INEC came under severe criticism of being agents of the ruling party- the PDP. By the time preparations for the 2011 elections began, President Jonathan had come under severe pressure from domestic and international CSOs to sack Maurice Iwu; despite allegations that the latter had lobbied actively for the extension of his tenure (*Thisday* newspaper 12<sup>th</sup> June 2010).

In the case of the 2011 and 2015 General elections Figure 6 also indicates that there was a remarkable improvement in the perception that the election management team was neutral. This is largely attributable to the appointment of Professor Attahiru Jega as the Chairman of INEC in June 2010. Jega's appointment as the Chairman of INEC by President Jonathan was celebrated across Nigeria as the beginning of restoring the integrity and credibility of INEC; given the former's reputation as a renowned Political Scientist with integrity. As noted by the West African network for peace building:

The government of President Jonathan has demonstrated to a greater extent than his predecessors the political will to ensuring the independence of INEC. The appointment process of the current chairperson of INEC was painstaking and open to public scrutiny thereby restoring public trust and confidence in the electoral system (West African Network for Peace building-WARN Policy brief, 2010:1).

Jega became the first Chairman of INEC to have conducted two consecutive General elections in 2011 and 2015 which were generally seen to be fair and credible.

## **Conclusion**

This paper has attempted to document some of the key issues concerning the structure of election administration in Nigeria with particular focus on INEC. Having conducted a total of five quadrennial general elections from 1999 to 2015, INEC is the most enduring of all six EMBs that existed in post-independence Nigeria. Thus, the paper sought to investigate how INEC as a key institution in the election administration system has operated over the years.

To understand the workings of INEC a number of issues were examined. These include the trajectory of the legal framework that governed the elections conducted by INEC, the method of constituting the election management team of the Commission and their capacity for neutrality in the electoral process, as well as the method of funding. While evidence suggests that the legal framework governing the election administration process since 1999 have been evolutionary, the power to appoint the Chairman and Commissioners of INEC, which is still vested in the



President continues to be a major factor militating against the structural independence of INEC. Yet, in recent years, the management team of INEC, particularly during the 2011 and 2015 General elections have demonstrated a remarkable degree of neutrality in the electoral process which appears to have ushered Nigeria into a new phase in the quest for democratic sustainability. The funding of INEC directly from the federation account on first line charge has also been remarkable in this respect.

With the historic alternation of political power to the opposition after the 2015 general elections conducted by INEC, the election administration system and by implication Nigeria's democracy has been ushered into a new era. An era that, hopefully, marks the beginning of the de-politicisation of election administration and the sustainability of democracy in Nigeria. This feat has been achieved by persistent advocacy for electoral reforms by international and domestic civil society organizations. Indeed, even more advocacy will be required to sustain the achievements made and to fully establish the independence of INEC and democracy in Nigeria.

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## **Africa-European Union Partnership on Peace and Security and Internal Security Management in Nigeria, 2007-2017**

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### **Abstract**

*The relations between Africa and Europe which had traditionally been dominated by issues of trade, investment and development cooperation have since evolved into such diverse areas as regional integration, energy sustainability, climate change, migration, and science and technology. The growing interconnectedness of both continents has however been accompanied by increasing vulnerabilities to insecurity, particularly for Africa. This outgrowth has in turn warranted a shift in focus of Euro-African cooperation to issues of security and crisis management, including refugee crisis. The Joint Africa-European Union Strategy adopted at the Lisbon Summit in December 2007 therefore identified eight priorities for cooperation or partnerships with concerns over peace and security being most prominent. Nigeria with her abundant human and natural resources has typified Africa's developmental pathologies and its security dilemma. This has been brought into bold relief by the current violent Islamic extremism that has ravaged the northeast part of the country since 2009, leading to the death of thousands of citizens and the displacement of countless number of others. It has also threatened the stability of Africa's largest economy and Europe's foremost energy supplier and an important trade partner. This paper therefore explores the dynamics of international collaborations in Nigeria's internal security management focusing on the EU-Africa Partnership on Peace and Security. It found that the EU support has been roundly criticized for its perceived inadequacies but holds that such criticisms are reflective of a partial reading of the terms of EU-Africa relations under the Partnership on Peace and Security. The paper therefore recommends that the EU step up support for strengthening of institutions and the prioritization of governance over politics.*

**Keywords:** Africa, Europe, internal security, management, Nigeria.

### **Introduction**

Nigeria's return to democratic rule in 1999 brought with it high expectations of the restoration of peace and security to a populace that had been assailed by myriad of security challenges during the long years of military rule. After nearly two decades of democratic experiment, however, the security situation in the country appears to have dipped below the pre-1999 standards. Beginning with the Choba and Odi incidences in October and November, 1999 respectively, the citizens have been assailed by various threats to their personal security, casting doubt on liberal assumption that democracy necessarily yields peace and security. The most common security challenges that have been experienced in the country range from those posed

by violent crimes, ethno-religious conflicts, resource-based conflicts, trans-border criminal activities, and election-induced violence (Dambazzu, 2014). Arguably, the two most daunting security challenges that the Nigerian state has had to grapple with have been the Niger Delta militancy and piracy in the south-south states of Bayelsa, Delta and Rivers states, and the Boko Haram insurgency in the northeastern states of Borno, Yobe and Adamawa, sometimes extending to other parts of the North, including Abuja - the Federal Capital Territory.

While the Nigerian state has been able to reasonably rein in militancy in the Niger Delta through internal politico-military mechanisms, the Boko Haram insurgency, which has been by far the most violent and most ferocious of all Nigeria's contemporary security challenges, defied the ingenuity of the internal security and intelligence apparatuses. This necessitated external diplomatic and military collaboration to stem the tide of violent attacks perpetrated by the group in the Northern part of Nigeria. Prominent among the external collaborations has been the Multinational Joint Task Force (MNJTF) comprising units, mostly military, from Benin, Cameroon, Chad, Niger, and of course Nigeria. The role of other external actors in the management of the internal security challenge has thus far been less pronounced, and hence less documented. Against this backdrop, this chapter explores the dynamics of international collaborations in Nigeria's internal security management with particular focus on European Union, under the rubrics of the Africa-EU Partnership on Peace and Security.

### **Historicizing Nigeria's Internal Security Challenges**

The popular notion about Nigeria's numerous security challenges is that it is genetically inscribed; arising, as it were, from the country's colonial experience. Colonialism, it is argued, imposed on the country a structural imbalance manifesting in a lopsided and unworkable federalism, which in turn predisposes her to the numerous security challenges. Geographically, the northern part of the country accounts for close to 80% while the former Western, Mid-Western, and Eastern regions account for only 8.5%, 8.3%, and 4.6% respectively (Mijah, 2007). Demographically, the Northern part of the country is credited with over one-half of the country's population, albeit in contested national population censuses. These geo-demographic imbalances however contrast with the differential distribution of such developmental infrastructure as education, which is skewed in favor of the southern regions, to engender mutual suspicion and fear of domination. These have in turn generated toxic socio-economic and political repercussions that have all too often threatened the corporate existence of the country. This is mostly expressed in frequent vociferous complaints and agitations over marginalization in the distribution of the nation's abundant natural resource wealth.

To further compound the problem of structural imbalance in the country, ethno-religious and other primordial referents assumed preeminence over national identity. The transformation of identities along primordial lines and the entrenchment of negative identity politics privileged ethnic and religious identities as the basis of inclusion or exclusion in the distribution of resources. Consequently, the dominant

ethnic groups systematically excluded the minority ethnic groups from national and even regional or state processes and from the acquisition of resources and opportunities for individual and collective development. Thus, as a safeguard for their communal and group resources, ethnic nationalities began to define citizenship along the lines of indigeneity, whereby indigenes enjoy more opportunities and resources than 'settlers', referring to people whose ancestral roots cannot be traced to the community in question. This 'indigene/settler' identity therefore became the standard for inclusion or exclusion in the distribution of resources (IPCR, 2005; Mijah, 2007). The transformation of identity and the entrenchment of negative ethnic identity politics were further aided by situations of crises and adjustments in Nigeria (Jega, 2003). The structural imbalance in the ethnic, religious and regional composition of Nigeria and the manipulation of such identities has therefore been implicated in the various ethno-religious and even communal conflicts that have plagued Nigeria over the years.

Since the restoration of democratic rule, ethnic identity and mobilization in the Nigerian political landscape has often resulted in political instability as parties and candidates have constantly mobilized support along primordial fault lines. Between 1999 and 2013, for instance, more than 11,000 deaths were recorded as a result of about five hundred incidents of communal violence (Çancı & Odukoya, 2016). Ethnic violence has been witnessed in almost all regions in the country but with particular frequency in the Niger Delta, the Muslim North and the Middle-Belt (Uzodike & Whetho, 2011). In a sense, therefore, the level of insecurity witnessed during the post-military period is considerably higher than that experienced during the three decades of military rule that ended in 1999. This counter intuitive rise in the level of insecurity has further been explained in terms of the specific context of the program of neo-liberal economic reforms pursued under the Third Wave of democratization that enveloped much of the developing world since the 1990s, Nigeria inclusive. It has been demonstrated that in spite of the modest gains, especially in the areas of telecommunications and consolidation of the financial sector, the implementation of the neo-liberal economic reforms in Nigeria has been exclusionary and de-participatory, thereby alienating the state from the citizenry. The feeling of economic exclusion and the struggle to create alternative space for economic security has thus come to threaten the nation's internal security in a number of ways (Mija, 2007).

Essentially, economic reforms such as trade liberalization, which led to the closure of several industries in the country as a result of cheaper imports, resulted in increasing privatization of the state and the subsequent alienation of the people from it. The vacuum arising from this state roll-back, particularly out of the domain of service provisioning was filled first, by civil society organizations and the development partners, but also increasingly by various uncivil groupings including ethnic militias, religious fanatics, disgruntled political and economic elite who feel marginalized or excluded from participation in the state, which has become the only realistic means of production in an economic milieu that has become increasing unproductive but merely distributive. And as the state distanced itself from the

people, it foreclosed the use of dialogue and other mediatory mechanisms that are vital for the management of conflicts (Mijah, 2007). Thus, in the absence of constructive dialogue, and as a result of the tension arising from the adverse impacts of economic reforms, violent outbursts became inevitable, leading to the well-known spate of insecurity. As Ake (1996, p. 73) so cogently put it:

the state is in effect privatized, it remains an economic force but no longer a public force, no longer a reassuring presence guaranteeing the rule of law but a formidable threat to all except the few who control it, actually encouraging lawlessness and with little capacity to mediate conflicts.

Meanwhile, the growing insecurity the state engenders has elicited violent forms of reactions that have continued to threaten Nigeria's internal security. A prime exemplar of this is the persistent violent agitations in the oil-rich Niger Delta with the resultant insecurity that have engendered over the years.

While the Niger Delta narrative is a clear testament of the nexus between governance deficit and internal security deficit, corruption is also known to have engendered serious threat to the nation's internal security. The interface between corruption and poverty in Nigeria is multifaceted. On the one hand is that corruption among state functionaries is culpable for the mass poverty among the citizenry, which in turn weakens any sense of mutual tolerance, social solidarity or coexistence, while reawakening social hatred, radicalism and violence. Corruption, therefore, provides a fertile ground for the incubation and festering of foot soldiers of religious extremists and sundry violent criminal organizations. For instance, while the exact origin of Boko Haram has often been debated, there has been no disputation over the contribution of corruption-induced poverty in its formation and growth. Corruption is also known to have had debilitating effect on the capacity and capability of the Nigeria state to respond to threats posed by insurgency. This is partly so because such threats often provide the cloaking for the perpetration and perpetuation of corruption by agents of the state. A few such examples here would suffice. First is the case of the erstwhile Secretary to the Government of the Federation (SGF, Babachir Lawal, who was sacked by President Muhammadu Buhari in 2017 over alleged criminal abuse of office with regard to the disbursement of funds for Internally Displaced Persons (IDPs) in Nigeria's troubled northeast. In January 2019, the Economic and Financial Crimes Commission (EFCC) formally filed 10 counts of fraud against Mr Lawal and five others, including his company, Rholavision Engineering Limited, before the High Court of the Federal Capital Territory in Abuja. The charges hinged on alleged fraudulent award of grass cutting contracts by his office through the Presidential Initiative for North-East to companies in which he had interest.

Also in January 2019, a former Director-General of the National Intelligence Agency (NIA), Ayodele Oke, and his wife, Folasade were charged for alleged concealment of about \$43m in a flat in Osborne Tower in Lagos. Oke, like Lawal, was sacked by President Buhari in October 2017 following a report of investigations

by a panel headed by Vice-President Yemi Osinbajo into allegations of fraud leveled against them.

There is also the case of Col. Sambo Dasuki, the National Security Adviser under the Goodluck Jonathan administration who has been in detention since November 5, 2015 on charges of massive diversion of funds meant for the fight against insurgency to political campaign purposes in the run up to the 2015 general elections. On May 2, 2018 the Federal Government of Nigeria, through the Economic and Financial Crimes Commission (EFCC), filed a 32-count amended criminal charge against Col. Sambo Dasuki over his alleged complicity in the illegal diversion of \$2.1 billion arms fund. Equally charged as defendants in the fresh charge the Economic and Financial Crimes Commission, EFCC, filed before an Abuja High Court at Maitama, are a former Executive Director of the Nigerian National Petroleum Corporation, NNPC, Aminu Baba-Kusa and two firms, Acacia Holding Limited and Reliance Referral Hospital Limited. EFCC had in a previous 19-count charge it filed before the court, alleged that the defendants siphoned N32 billion from accounts the office of the NSA operated with both the Central Bank of Nigeria and other financial institutions. It alleged that the fund which was earmarked for the purchase of arms to fight insurgency was distributed to delegates that attended the Presidential Primary Election the Peoples Democratic Party, PDP, held in Abuja, a process that saw the emergence of ex-President Goodluck Jonathan as the sole candidate of the party. The former NSA is equally facing another 22-count charge involving alleged N19.4bn fraud, alongside former governor of Sokoto State, Attahiru Bafarawa, his son, Sagir Bafarawa, former Minister of State for Finance, Bashir Yuguda and Sagir's firm, Dalhatu Investment (Nnochiri, 2018).

### **Origin and Evolution of EU-Africa Partnerships**

The long history of interactions between Europe and sub-Saharan Africa has evolved through several epochs; some benign, others not so benign, and some others out rightly malignant, with varying levels of impact on Africa's security and development trajectories. It has however been observed that in spite of "the close and lasting relations of some of the Member States of the European Union (EU) with sub-Saharan Africa, this region was for a long time not a focus of the EU's external relations", and that even when it did, "economic and developmental issues often dominated" (Döring, 2007, p. 1). In recent times however, Africa's relation with Europe has assumed a new dimension extending well beyond economics and development into the domain of security.

Four significant developments are credited with shaping the relations of the EU towards sub-Saharan Africa since 1989/90. First, the end of the Cold War greatly reduced the interest of external actors in Africa. The continent was generally perceived to be marginal to global security issues. As such, the EU linked its developmental aid to the political performance of the recipient sub-Saharan African States. The second development shaping the EU's relations towards Africa was the confrontation with serious problems in sub-Saharan Africa in the mid-1990s: the failure of the UN peacekeeping operation UNOSOM II in Somalia (1993-95) and the

genocide in Rwanda in April 1994 were clear signals that economic and developmental support alone was not sufficient to stabilize this region, to prevent crises from emerging or even to stop violence and conflict (Bauer, 2005 in Döring 2007, p. 14). The European governments realized that Africa could not be left on its own. Humanitarian disasters and the refugees arriving at the EU's frontiers called for external action. This perception had a serious impact; the EU began to develop capacities for that purpose. Recognizing the lack of capabilities for intervention or conducting EU crisis management operations, the EU had to rely on the capabilities and actions of its Member States, the UN or on African sub-regional organizations. The EU's political focus shifted from normative values to conflict prevention. The Balkan war experience bolstered this insight. Concepts were developed for how and in which phase the EU would be able to act concerning crises in Africa. Conflict prevention focused on the root causes of conflicts and how the EU could tackle them (Döring, 2007).

The third group of events influencing the EU's policy towards sub-Saharan Africa was the terrorist attacks of September 11, 2001 and the Iraq war in 2003. The European Council, the highest decision-making body of the EU, consisting of the Heads of State and Government (or Ministers) of the Member States, in December 2003 adopted the first European Security Strategy (ESS) in the aftermath of these events. This strategy was a signal that the EU was much more concerned about its security than before. Key threats for the EU were identified: the proliferation of weapons of mass destruction (WMD), terrorism, regional conflicts, failing states and organized crime. Some of these threats are prevalent in sub-Saharan Africa. Violent regional conflicts, terrorism, failing states, but also other issues like mass migration, it was realized, could pose direct or indirect threats to the EU. The fourth development shaping the EU's relation towards sub-Saharan Africa was the initiation of the European Security and Defense Policy (ESDP) in 1999 (Döring, 2007). The ESDP became a pivotal element in the second pillar of the EU, the Common Foreign and Security Policy (CFSP). Even though the second pillar, which was established in 1992, enabled the EU to act as a single entity in foreign affairs for the first time, defense issues were excluded from cooperation until 1999. The ESDP evolved significantly in a short time period and the intra-institutional changes this engendered affected the relations with sub-Saharan Africa. Consequently, the EU began to create capacities to act in crises and to gain more leverage for effective action that was now available for crisis management in Africa.

Following the ESDP, the EU launched a comprehensive framework for intercontinental cooperation with Africa at the first Africa-EU summit in Cairo in 2000. The Cairo agenda identified a number of priority areas for cooperation, many of them political and some related specifically to security (Rodt & Okeke, 2013). In 2003, the European Security Strategy was published and the EU launched its first missions. It conducted its first ESDP military crisis management operation in sub-Saharan Africa in 2003 with the deployment of troops to Bunia in the Democratic Republic of Congo (DRC) to protect the local civilian population (Döring, 2007).



This was followed in 2007 by adoption of the Joint Africa-EU Strategy (JAES) at the Lisbon Summit in which Leaders of 27 European and 54 African States as well as the Presidents of the continental Institutions were in attendance.

### ***The JAES and EU-Africa Relations***

The Joint Africa-EU Strategy (JAES) adopted at the Lisbon Summit in December 2007 has been described as “the capstone doctrine of Africa-European Union relations” representing as it does “the overarching long-term framework of cooperation between the European Union (EU) and the African Union (AU)” (Pirozi, Sartori & Venturi, 2017, p. 7). The purpose of the Joint Strategy is to take the Africa-EU Partnership to a new strategic level with a strengthened political dialogue and enhanced cooperation at all levels. It therefore set out the intention of both continents to move beyond a donor/recipient relationship towards long-term cooperation on jointly identified, mutual and complementary interests. The JAES reflected the wider processes of integration in both continents as well as geopolitical changes occurring in the wider international landscape, particularly, the challenges of globalization, and is also based on principles of ownership, partnership and solidarity, and its adoption was tagged a new phase in Africa-EU relations ([https://au.int/en/partnerships/africa\\_eu](https://au.int/en/partnerships/africa_eu)).

The JAES is implemented through jointly identified priorities, which are of common interest to both the EU and Africa, and significantly impact on the daily lives of citizens on both continents. Within each area of cooperation, the focus is on actions at the global, continental or cross regional levels and in which participating actors have a collective capacity to deliver. It strives to bring Africa and Europe closer together through the strengthening of economic cooperation and the promotion of sustainable development, with both continents living side by side in peace, security, democracy, prosperity, solidarity and human dignity.

The Africa-EU Strategy complements the existing frameworks of cooperation with Sub-Saharan Africa and with the EU's Neighborhood. This level of Africa-EU cooperation, therefore, overarches all other existing channels of cooperation at the local, national and regional levels. The First Action Plan (2008-2010) and Second Action Plan (2011-2013) of the Joint Africa-EU Strategy focused on key 8 priority areas of cooperation namely: Peace and security; Democratic governance and human rights; Regional economic integration, trade and infrastructure; Millennium Development Goals; Climate change; Energy; Migration, mobility and employment; and Science, information society and space (Pirozzi, 2010).

At the 4th EU-Africa Summit in Brussels, African and European Heads of State and Government adopted the Roadmap 2014-2017 which focuses on the implementation of the Joint Strategy, this time, on 5 priority areas: Peace and security; Democracy, good governance and human rights; Human development; Sustainable and inclusive development and growth and continental integration; and Global and emerging issues. Under the terms of the JAES, the partnership on peace and security pursues three specific objectives:

– Enhancing the political dialogue on peace and security;

- Operationalizing the Africa Peace and Security Architecture (APSA);
- Ensuring predictable funding for African-led peace support operations (Hendrickson, Ball, Olonisakin, Morillon, & Cadji 2013, Pp. 3-4).

With regard to the first objective, political dialogue at continental level between Europe and Africa has been conducted amongst Heads of States and Governments at successive Africa-EU Summits, in Cairo (2000), Lisbon (2007), Tripoli (2010) and Brussels (2014). The Lisbon Summit produced the JAES and the First Action Plan (2008-2010), while the subsequent Summits helped raise political attention on the partnership and agree on concrete priorities for implementation via the Second Action Plan 2011-2013 and the Roadmap 2014-2017 respectively (Pirozi, Sartori & Ventura, 2017).

Concerning the second objective, the EU is said to have been actively engaged in providing capacity building to the APSA with the goal to enhance continental and regional capabilities for the prevention, management and resolution of conflicts. The APSA was conceptualized by the AU and African Regional Economic Communities (RECs) as an overarching security structure providing a structural, long-term response to the peace and security challenges on the African continent. Consequently, several EU-funded capacity building programs aim at increasing the efficiency and effectiveness of the AU and the RECs in this context. A number of these programs focus on the main APSA elements such as the operationalization of the African Stand-by Force and the setting up of the Continental Early Warning System. The EU is also supporting liaison and dialogue between the AU and the RECs having a mandate in peace and security (<https://www.africa-eu-partnership.org/en/priority-areas/peace-and-security>).

An important pillar of the APSA is the Africa Standby Force (ASF), which was conceived as a multidisciplinary force composed of military, civilian and police components. In total, five brigade-size standby forces are to be regionally put in place in view of possible rapid deployment in crisis situations. The troop contributing countries would be responsible for basic training of pledged components while regional economic communities and mechanisms are to ensure the regional coordination of activities and training. The AUC is responsible for providing overall guidelines for training, developing standing operating procedures and certifying the forces. EU support to the APSA comprises amongst others, capacity building for improved operationalization of the ASF. Furthermore, the EU's *African Training Centers in Peace and Security program supports* the development of training capacity and policy for the ASF.

In addition, the EU provides assistance to *AMANI AFRICA II*, a training and exercise cycle on strategic decision-making, management and deployment of the ASF. Funding for activities dealing with strategic lift, communications and logistics is also envisaged which would respond to the long-term need to build a range of sustainable capabilities for the ASF. In addition, €12.5 million was committed in December 2013 through the APF to support the establishment of a *Command, Control, Communication and Information System*.

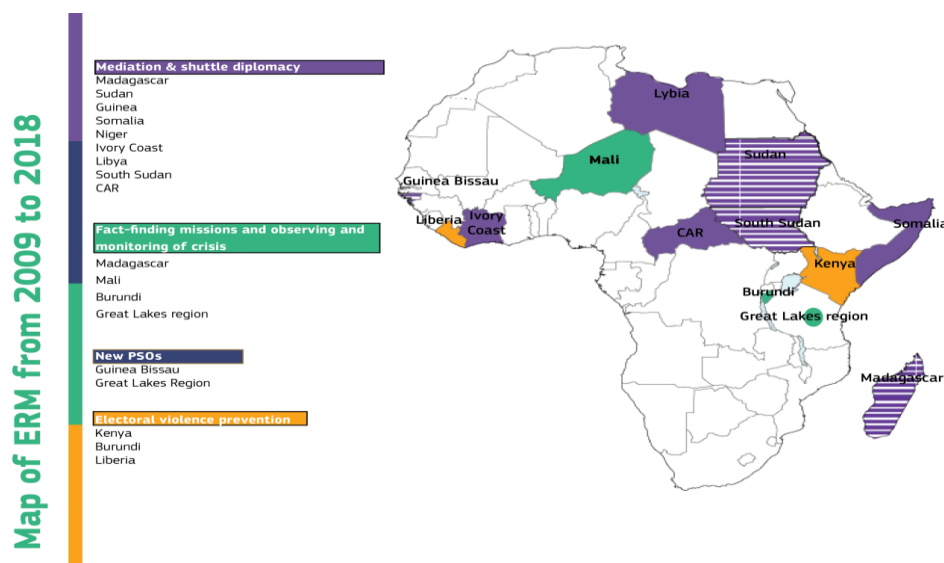
An Early Response Mechanism (ERM) was set up in 2009 in order to strengthen the flexibility of the APF and to enable rapid and structured reactions of the AU and the sub-regional organizations to conflicts. The purpose of the ERM is to mobilize immediate funding for the first stages of actions aimed at the prevention, management or resolution of crises, such as the preparation of decision-making processes and planning of envisaged peace operations or the launch of mediation initiatives. Since its creation, the ERM has financed more than 20 interventions related to mediation, human rights and the start-up of Peace Support Operations (PSOs).

Turning to the third objective of the partnership on peace and security under the JAES framework, which is ensuring predictable funding for African-led peace support operations, the key EU financial instrument has been the African Peace Facility (APF). The APF was established at the request of African leaders at the African Union Maputo Summit in 2003. Financed through the European Development Fund, the APF allows African institutions to bring “African solutions to African problems” through the operationalisation of the African Peace and Security Architecture.

Meanwhile, over the years, the APF has become one of the main instruments supporting Africa-EU cooperation on peace and security. EUR 2.7 billion has been allocated to the APF since it was created. EUR 2.3 billion has been contracted and EUR 2.2 billion was paid through this instrument by the end of 2017 (African Peace Facility 2018, p. 6). This support enables the African Union (AU) and Regional Economic Communities (RECs) and Regional Mechanisms (RMs) or other sub-regional organizations carrying out a peace and security operation with an AU PSC mandate to strengthen their respective roles in peace and security, take responsibility for the stability of the continent, and emerge as internationally recognised actors in the political and security arenas. The strategic approach of the APF is based on a combination of immediate short-term funding in the event of crises and longer-term support for institutional capacity-building in peace and security. The activities funded fall into three categories:

*African-led Peace Support Operations (PSOs);*

In 2017 the most active PSOs were in Somalia, Guinea Bissau, South Sudan, the Gambia, the Lake Chad Basin, the Sahel and Central Africa. The largest part of the APF’s financing continued to be directed to the African Union Mission in Somalia (AMISOM).



**Source:** <https://www.africa-eu-partnership.org/sites/default/files/userfiles/map1.png>

### ***Operationalisation of the African Peace and Security Architecture (APSA)***

Support for capacity-building continued through the third phase of the APSA Support Programme, which contributes to the implementation of the 2016-2020 APSA Roadmap. To ensure proper implementation of the APSA, the AUC Salaries Programme in Peace and Security enabled the African Union to sustain its personnel costs. The AU Liaison Offices Programme enabled the AU to maintain its network of liaison offices deployed in conflict and post-conflict countries in Africa. The APF also continued to support the AU in the acquisition of a Command, Control, Communication and Information System (C3IS) and it supported the further development of the AU Continental Early Warning System (CEWS).

### ***Initiatives under the Early Response Mechanism (ERM)***

The ERM continued to support the AU and the RECs in preventing crises across Africa. In 2017, it funded four initiatives in the field of mediation (Libya), shuttle diplomacy (South Sudan), conflict prevention related to electoral processes (Liberia) as well as the kick start of a PSO (the Gambia) (African Peace Facility, 2018).

### **Evaluating the implementation of the Joint Africa-EU Partnership on Peace and Security**

Given the stated overarching objective of the JAES, which is to overcome the donor-recipient nature of the relationship and promote a more equitable partnership in which the AU and other regional actors would emerge as true partners of the EU and not merely as aid receivers, it has been suggested that much has been achieved between the two institutions. Tardy (2016), for instance, observes that both

institutions have become increasingly interdependent, and that this interdependence has elevated the AU to a level of activity that now makes it an essential player in the security domain on the African continent.

Tardy further explained that African security institutions, being now more in charge with active financial support of the EU, have deployed more than 100,000 personnel in peace operations on African soil over the last 12 years, demonstrating a genuine will to contribute to security governance on their own continent. Through these operations, the AU and other sub-regional institutions have become first responders to crisis management needs, and have developed a conception of peace operations distinct from the UN (and EU) approach through their tendency to resort to coercion as a means to create the conditions for peace (as opposed to operations deployed in support of an existing peace) (Tardy, 2016).

The AU has been most visibly engaged in the form of a large-scale peace mission (AMISOM) conducting openly coercive operations against al-Shabab in Somalia. The AU and its sub-regional partners were also engaged in Mali – AFISMA, 2013 – and the Central African Republic (CAR) – MISCA, 2014 – with mandates that did not last but were nonetheless theoretically coercive. In 2015, the AU authorized the creation by the Lake Chad Basin Commission (LCBC) of a Multinational Joint Task Force (MNJTF), composed of Cameroon, Chad, Niger, and Nigeria to fight Boko Haram in the Lake Chad area. In parallel, African troops now account for 58% of total personnel deployed in the nine UN-led peace operations in Africa (51,727 African blue helmets out of 89,568 deployed as of January 2016). Altogether, those regional efforts attest to tangible evolutions in the burden-sharing of security activities on the continent, and a shift away from the earlier ostensible dependency *vis-à-vis* non-African actors and external interventions (Tardy, 2016).

In all of these, the EU has been a key partner in this process, not least because a stronger African role and capacity allows for alleviating what had been a costly and not necessarily consensual European engagement. Over the last ten years, the EU has deployed seven military operations and an equal number of civilian missions in sub-Saharan Africa and the Gulf of Aden. In three of these cases – Somalia, the CAR, and Mali – EU operations were deployed simultaneously alongside African-led operations. Moreover, the evolution and widening of security threats have made the two blocs more tangibly interdependent, particularly in relation to violent extremism, migration and forced displacement. This led, for example, the EU Horn of Africa Regional Action Plan 2015-2020 to identify these issues as ones which are ‘affecting EU interests’.

In terms of funding, more than EUR 2.1 billion has been allocated to the APF since it was created. EUR 1.9 billion has been contracted and almost EUR 1.8 billion was paid through this instrument by the end of 2016, with the largest share being allocated to AMISOM in Somalia (which absorbed €510 million for 2014 and 2015). However, it has been observed that most of the APF financing is allocated to peace operations. In concrete terms, the bulk of the APF envelope between 2004 and 2017 was allocated to peace support operations – approximately \$2205.26 million (€2109.7 million or 90.9% of total contracts) – while \$177.7 million (€170 million or 7.3%)

was used for capacity building and \$29.26 million (€28 million or 1.2%) for the Early Response Mechanism. Since 2007, the EU has provided more than \$1.67 billion (€1.6 billion) to the AU for the African Union Mission in Somalia (AMISOM), including \$250.24 million (€239.4 million) in 2017, making the EU one of the biggest donors to the mission (African Peace Facility Annual Report 2017). This highlights the fact that the APF ‘continues to be crisis-driven’, (European Commission, ‘Action Document for the 2014–2016 action programme of the African Peace Facility, 2016’).

Questions have also been asked around the fact that the APF is largely not eligible for official development assistance (ODA) whereas it is part of a scheme – the European Development Fund (EDF) – that has to be 90% ‘ODA-eligible. There has also been the question as to how the APF could be used in a more strategic manner in support of African crisis management capacities (Tardy, 2016).

From the EU legislative side, the Council adopted a Decision to allow the replenishing of the APF with funds de-committed under the 10<sup>th</sup>EDF for up to €491 million. The Commission adopted two Decisions amending the 2014-2016 APF action program to allow for a simplification of the payment modalities to troop contributing countries to African-led PSOs, for an increase of €150 million. The Council also endorsed the new EU-wide strategic framework to support Security Sector Reform (SSR) in Partner Countries (African Peace Facility Annual Report, 2016). EU funds have mainly been used to pay the allowances of AMISOM soldiers on the basis of approximately \$1,000 per soldier per month. However, this amount was reduced to around \$800 in late 2015 in an attempt to incentivize African partners to look for alternative sources of funding for their operations.

Of the other components of the APF, one aims at supporting the operationalization of PSA through capacity-building of the AU and RECs and Regional Mechanisms (RMs), the financing of AU Commission staff salaries, support for the AMANI Africa training and exercise cycles, support for African Training Centers, etc. with about €55 million in 2014-2016. The other one supports the AU Early Response Mechanism (ERM) through the immediate funding of conflict prevention, mediation and crisis management activities with around €15 million over the same time period.

### **The Partnership on Peace and Security and Internal Security Management in Nigeria**

Since 2000, the Cotonou Agreement has been the framework for EU relations with 79 countries from Africa, the Caribbean and the Pacific (ACP), including Nigeria. It was first revised in 2005, then in 2010. This agreement constitutes the legal basis for the EU and Nigeria's partnership on political issues, development cooperation and trade. The political dimension of the relations between Nigeria and the EU is articulated in Articles 8 to 13 - of the revised Cotonou Partnership Agreement. Article 8 in particular spells out the objectives and the key topics of the political dialogue. Nigeria and the EU decided in 2008 to take their relationships to a new level through intensified dialogue and enhanced cooperation. Nigeria and the EU drew the main lines for a way forward to intensify their relations.

In 2009, therefore, the EU and Nigeria formalized this commitment in the form of the Nigeria-EU Joint Way Forward (JWF). They agreed to intensify their political dialogue and to hold at least a yearly senior officials' meeting and a Ministerial dialogue. The main areas of priorities identified for such dialogue are: Peace and security, good governance and human rights, economic development, including trade and regional integration, energy, environmental sustainability and climate change. Given the growing importance of Nigeria's influence in the region and in international forums it was also agreed that the dialogue would cover regional and international cooperation, in addition to the domestic situation. The elevation of relations beyond that of the basic Cotonou Agreement and JAES framework, which the JWF entails, has therefore been seen as "recognition of Nigeria's growing importance" (Friel, 2016, p.15). And even though the document has been denounced in some quarters as "a mere restatement of broad undertakings of the JAES (Bello, 2012, p. 14), the JWF nonetheless "drives home the point that EU-Nigeria relations go beyond development cooperation" (Friel 2016, p. 15).

Meanwhile, at the height of the Boko Haram insurgency, the then Nigerian President, Goodluck Jonathan made repeated calls for increased European assistance to counter the insurgency (Agande & Shaibu, 2012). Prior to that, the EU's financial assistance to Nigeria had mainly been offered through the European Development Fund (EDF), as well as funding good governance initiatives through channels such as the European Instrument for Democracy and Human Rights (Council of the European Union, 2012 in Friel, 2016, p. 15). A major limitation of EDF funds however is that they must be negotiated and co-managed directly with national authorities and cannot be disbursed on counter-terrorism efforts (Art. 35 Cotonou Agreement, 2000). Conversely, the EU's Instrument for Stability (IfS) allows for flexibility in situations of insecurity as provided for in Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006. Following the request from the Nigerian government for counter-terrorism assistance, therefore, the IfS assembled a short term response package for intelligence and training, in addition to €10 million to promote the role of Northern women in seeking peace and security in 2013. This followed a European Commission Decision on "a Special Measure in Favor of Nigeria to be financed from the 10th European Development Fund" (Freil, 2014, p. 14).

Also, on August 1, 2016, the EU signed an agreement on €50 million support from the EU's "African Peace Facility" to the Lake Chad Basin Commission Multi-National Joint Task Force (MNJTF) in its fight against Boko Haram, as mandated by the African Union Peace and Security Council. The agreement coincided with the renewed efforts by the member countries of the Lake Chad Basin Commission (LCBC) and Benin to eliminate the threat posed by the Boko Haram terrorist group and create conditions for the rehabilitation of the affected areas and people (<https://www.africa-eu-partnership.org/fr/node/8466>).

The EU support was targeted at the construction and maintenance of MNJTF headquarters in Ndjamena as well as of sector Headquarters in Cameroon and Niger; and also the provision of transport and communication assets to the force

headquarters, allowing for effective coordination and command of military operations. These assets, including vehicles, aerial transportation and reconnaissance capacities and a command, control, communication and information system, were to put the central command in a position to co-ordinate operations among troop-contributing countries in their respective territories. The scope was to prevent Boko Haram's ability to move across borders when fighting uncoordinated bilateral operations.

By and large, the EU has supported Nigeria's efforts in the fight against insurgency and in the management of the many unfortunate fallouts of insurgency. This, it has done both politically and financially through the Multinational Joint Task Force comprising Niger, Chad and Cameroon engaged in a counter offensive against Boko Haram. In 2017, the European Commission announced a support package of €143m (about N50.2bn) for the early recovery and reconstruction needs in Borno to help deal with the worsening humanitarian crisis in the state. The support package brought the total EU support for the crisis in Borno to 224.5 million Euros for 2017, following earlier announcements of 81.5 million Euros in humanitarian aid. This in line with its strategic approach to resilience, the European Commission is providing a comprehensive package of humanitarian and development measures for the crisis in Nigeria. (<https://punchng.com/eu-announces-n50-2bn-humanitarian-support-for-northeast-nigeria/>).

Also in April 2018, the EU-Nigeria-UNODC-CTED partnership unveiled a three-year follow-on project to the earlier phase which came to a close at the end of March 2018. Under the earlier phase which focused on further strengthening the capacity of Nigerian criminal justice officials to effectively investigate, prosecute, and adjudicate terrorism cases, in accordance with the rule of law and human rights, the project delivered 82 capacity building activities, including providing extensive training to select groups of investigators, legal advisors, defense attorneys, prosecutors, and judges on a range of practically-focused terrorism-related criminal justice issues. It strengthened the capacity of Nigerian criminal justice training institutions, providing in-depth train-the-trainer courses to groups of Nigerian trainers on counter-terrorism investigations, adjudication of terrorism cases, and human rights, respectively, and producing a manual on counter-investigations for use by police practitioners and trainers (<https://www.unodc.org/nigeria/en/nigeria--eu--unodc-renew-commitments-against-terrorism--unveil-a-follow-on-project.html>).

Regardless of these modest accomplishments, the EU support for tackling Nigeria's internal security challenge has been criticized on the grounds of its perceived inadequacies. It has pointedly been argued that "aside from the growing, albeit reticent, involvement of the UK, EU member states by and large are relatively unengaged in the security affairs of Nigeria" and that "the seemingly equitable relationship between EU and Nigeria is at best a slightly disjointed and apolitical one" (Friel 2016, p. 17).



### **Conclusion and Recommendations**

This paper explored the dialectics of Euro-Africa engagement within the framework of the Joint Africa-EU Strategy. It focused particularly on the overall impact of the Partnership on Peace and Security on Nigeria's internal security management. The study highlighted the key components of the partnership under the terms of the JAES which include: enhancing the political dialogue on peace and security; operationalizing the Africa Peace and Security Architecture (APSA); and, ensuring predictable funding for African-led peace support operations. With regard to the first objective, we found that the partnership has enhanced political dialogue at continental level between Europe and Africa leading to four successive summits and two action plans and a roadmap spanning 2000-2017. Concerning the second objective, it was found that the EU has been actively engaged in capacity building to the APSA with the goal to enhance continental and regional capabilities for the prevention, management and resolution of conflicts. Also with regard to the third objective of the partnership for Peace and Security, it was found that the EU has since 2004 committed substantial amount of resources through the Africa Peace Fund (APF) for African-led peace support operations.

With specific focus on impact of the partnership on peace and security on internal security management in Nigeria, the study found that EU intervention in the management of Nigeria's internal security challenges, particularly the spate of insurgency that engulfed the North East part of the country has been in the form of a short term response package for intelligence and training, €10 million to promote the role of Northern women in seeking peace and security, a €50 million support to the Lake Chad Basin Commission Multi-National Joint Task Force (MNJTF) in its fight against Boko Haram. The EU support also included a €155 million humanitarian support, €50 million post-conflict development in North Eastern, and a €224.5 million support package for early recovery and reconstruction in Borno State.

Critics have however faulted the EU support to Nigeria on the grounds of some perceived glaring inadequacies, including the non-involvement of EU troops in the theatre of operation. In spite of such criticisms, the support has nonetheless aided Nigeria's internal security management, especially with regard to the fight against insurgency. Cogent as such criticisms may sound, therefore, they, appear to reflect a partial reading of the EU-Africa relations under the terms of the Partnership on Peace and Security. More so, the criticisms portend an unwarranted shifting of responsibility from the Nigerian state whose primary responsibility it is to exercise sovereignty over its territorial space and ensure the safety of lives and property within that space. Such criticisms readily gloss over the numerous abuses of public office for private gains and the criminal plunder of public revenue which constitute the underlying causes of the sundry security challenges confronting the country for which external intervention is desired. In the light of this, this paper recommends that EU should step up its support for strengthening of institutions by building up the capacity of Nigeria's civil society to hold the political leaders to account by ensuring that the political leaders prioritize governance over politics so as to minimize mass poverty

and the glaring inequality, which have been shown to be among the major instigators of various forms of conflict and insecurity.

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## **Peace and Conflict Risk Assessment as A Mechanism for Effective Peace Governance in Katsina-Ala Local Government Area, Benue State, Nigeria**

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### **Abstract**

*Peace and Conflict Risk Assessment (PCRA) has gained prominence in development planning. Today, one would hardly contest the fact that the negative interaction of conflict elements may predispose the environment to conflict. Using the Multi-causal theoretical role model and the Country Indicators for Foreign Policy (CIFP) risk model, the paper examines how knowledge of the interaction of negative conflict energies can aid government and development partners in the design and implementation of relevant peace governance architecture in Katsina-Ala local government area of Benue State, Nigeria, which has been threatened by history of conflicts. Although existing studies have focused on peacebuilding as important mechanism for peace governance in fragile contexts, the relevance of peace and conflict risk assessment to effective peace governance has received little attention. The thesis sponsored by this paper revolves around the evidence that without a good understanding of the interaction of conflict elements within a context, it would be difficult to design and implement context-specific peace governance architecture. Through, a triangulated method of data collection (focus group discussion, key informant interview and semi-structured questionnaire), ten variables were content analyzed to determine their risk severity ratings on the context. These included history of inter-communal conflicts, history of intra-communal conflicts, circulation of arms, environmental stress, ethnic/tribal consciousness, social amenities, siting of projects, women and youths involvement in governance, People with Disabilities (PWDs) and Local Government. The study revealed that the interaction of these variables have predisposed Katsina-Ala to intermittent conflicts. The paper suggests that evidence-based peace governance architecture is central to the mitigation of the negative interaction of conflict energies in Katsina-Ala local government area.*

**Keywords:** Conflict, Multi-causal, Peace, Peace Governance, Katsina-Ala, Risk Assessment, Risk Model

### **Introduction**

The growing understanding that peace, like several other human needs should be protected from negative energies reinforces the centrality of peace and conflict risk assessment to effective peace governance. Generally, communities have very often been predisposed to conflict of various shades with evidential flashpoints in the Niger Delta, North East and North Central states of Nigeria. Benue State and particularly, Katsina-Ala local government provides a useful case study for the examination of the interaction of negative energies.

Created in 1976, Katsina-Ala is one of the oldest local government areas in Benue state with a population of 225,471 as at the 2006 census and projected to hit 304, 400 within an area of 2,402 km<sup>2</sup> by 2016 (NPC & NBS Web:2007). The local government which is mainly occupied by Tiv (Thurstan, Paul, Bassey & Alex, 1993) has over 75% of the population engage in agriculture. Blessed with fertile soil and rainfall, the agriculturally conducive climatic condition for produce including sorghum, yams, cassava, maize, soya beans, rice, groundnuts and melon serve as the pull factor attracting people of diverse culture to Katsina-Ala. The interplay of the various activities that enable the production and distribution of agricultural produce including markets and development interventions have often predisposed the area to factors that threaten peace.

Peace according to Francis (2006:16) is the prime value in the World; it is the most valuable 'public good,' yet the most elusive. Ibaba (2008:264) observes that a common objective of all societies is the enthronement of peace given its centrality to human existence and development. The centrality of peace to human existence therefore throws up a logical question- what is peace? Peace has been defined to mean different things to differing people depending on the era and context. Peace according to Albert and Otite (2001:1-5) has been described as a relative condition of tranquilized conflicts. As justice and development, respect and tolerance between people, harmony with the ecosystem and tranquillity (Miall, 2000:14). While some scholars see peace as the absence of war others conceive peace differently; Miall (2000:14); Francis (2006:17); Ibeanu (2006:3). According to Ibeanu (2006:3), conceptualizing peace as the absence of war and war as the absence of peace though attractive, is inadequate for understanding the nature of peace. However, Galtung (1990) argues that the conception of peace as the absence of war is inapplicable in situations of structural violence. War according to him, is only one form of violence which is physical, open and direct. Other forms of social conditions such as poverty, exclusion, intimidation, oppression, unemployment, destitution, want, fear and lack of access to health and educational services does not fit into the peace-war converse definition. To this, Lama (2009) persuasively declared that:

...peace, in the sense of the absence of war is of little value to someone who is dying of hunger or cold, it will not remove the pains of torture inflicted on a prisoner of conscience. It does not comfort those who have lost their loved ones... Peace can only last where human rights are respected, where the people are fed and where individuals and Nations are free (p.1).

In spite of its widespread invocation and application, there is limited consensus on what constitute peace. Such conceptual uncertainty cannot be discounted as purely semantic or academic. How peace is defined has implications on how interventions are designed, implemented, monitored, and evaluated. For the purpose of this study, peace is construed not as a condition or state of affair but a process involving activities that are directly or indirectly linked to reducing the

likelihood of conflict and strengthening prospects for development. Although, research of the nexus between peace and development has generated huge literature, the significance of peace and conflict risk assessment to effective peace governance has been under-researched. Within this context, the paper therefore, examines how conflict elements interact to predispose Katsina-Ala local government area of Benue State to conflict and how the evidence from such risk assessment can help government and development interveners plan and deliver context-specific peace governance programmes. The significance of this paper therefore, revolves around the need to contribute to the development of more robust peace governance architecture. While the paper only briefly reviews literature on peace and conflict risk assessment, its main interest is to highlight what in the estimation of the author, constitute the interaction of negative energies that may predispose the study area to conflict thereby threatening socio-politico and development interventions.

### **Methodology**

As part of the process of data collection to examine the interaction of conflict elements in Katsina-Ala local government as a strategy of establishing the likelihood estimate and overall severity of risk in the study area, a triangulated method of data collection was deployed. This included semi-structured questionnaire, Focus Group Discussions (FGDs), Key Informant Interviews (KIIs) and review of relevant literature. A total of five organisational questionnaires were administered to five purposively selected Community-based Organisations (CBOs) to collect data on specific peace and conflict indicators in Katsina-Ala local government area. These CBOs included; Association of Grassroots Counselors on Health and Development (AGCOD); Kejie Health Foundation (KHF); Otabo Caregivers and Support for Orphans; Pearls Care Initiative (PCI); First Step Action for Children Initiative (FIRST). It will be noted that the CBOs are predominantly those in the health sector because there were no presence of peacebuilding CBOs in the study area. Five FGDs were held with five groups, one for each of the selected CBOs. The FGDs had an average of eight participants drawn from traditional rulers/community leaders, women groups, religious leaders, CBOs and youths. Additional data were generated through key informants who are observant and reflective members of the community of interest who know much about the phenomenon under consideration and were both able and willing to share their knowledge (Bernard, 2002; Seidler 1974; Tremblay 1957; Campbell 1955). Three key stakeholders were purposively selected as key informants. The essence of data triangulation was to identify recurrent peace and conflict risk elements in the selected LGAs and strengthen credibility of conclusions. The reason for triangulation is that one can be more confident about a result if different methods lead to the same result. If only one method is used, results may be accepted without question; if two methods are used, the results may clash; by using three methods one increases the possibility that consistent and verifiable results may be obtained.

**Theoretical Anchorage**

Borrowed from the medical field, the study considers the Multi-causal model an appropriate analytic tool for examining the interaction of conflict elements in any given context. This is because it allows for a more comprehensive integration of the “syndrome of factors” (Mason and Rychard, 2005) that may predispose a particular context to violence. Analysis using the Multi-causal model begins with an examination of the conflict elements within the context of study including remote, immediate, triggers and precipitants of conflict. The multiplicity of these conflict elements presupposes that an understanding of how these elements interact to strengthen or undermine conditions conducive to peace and its sustenance must be identified for any meaningful response design and mobilization.

In the context of this study therefore, the Multi-causal theory suggest that conflict is a product of a multiplicity of factors and as a result, the causation element of this model points to the need of identifying the likely causes of conflict from various perspectives. This goes further to corroborate the evidence that like in several other contexts, Katsina-Ala has inherent conflict elements that may be structural, political, cultural, religious, ecological/geographical and sociological. The causal dimension of this model is further made glaring when consideration is given to the inevitable interaction of these factors. When for instance, a divisive political context interacts with a religiously sensitive environment, violence becomes a likely outcome. The Multi-causal theory is therefore considered appropriate in identifying likely conflict elements and explaining how the identified elements can interact to enhance or undermine peace in Katsina-Ala Local Government of Benue State, Nigeria.

**Understanding peace and conflict risk assessment**

The lack of evidence-based conflict sensitive programming is among the most obvious obstacles to effective peacebuilding interventions (Obi, 2015:3) and peace governance in general. The emerging reality that development and its processes are conflict exacerbating and the need to stem the tide of development interventions induced conflicts underscores the relevance of risk assessment. While development interventions generally, whether in form of building of public utilities like schools, hospitals and roads can induce conflict in the community, the context in which such interventions take place also have inherent conflict elements by virtue of its history, policies, actors, economy and politics. The interaction of these ‘inherent’ community conflict elements with development interventions may trigger conflict if a risk assessment is not done. Lack of an effective risk assessment can therefore strengthen conflict drivers and enhance the risk of outbreak of violence thereby threatening development interventions. Risk assessment can strengthen the effectiveness and efficiency of development interventions by identifying conflict risk factors, designing a risk response to mitigate escalation and strengthening the processes of long term development. It provides a mechanism for identifying which risks represent opportunities and which represent potential pitfalls.



Within this context, risk assessment is therefore, a systematic process for identifying and evaluating events (i.e., possible risks and opportunities) that could affect the achievement of objectives (Committee of sponsoring organizations, 2004). Risk is usually defined as the product of the likelihood (or probability) of the occurrence of a hazard and the magnitude of its consequence. As the level of risk increases (likelihood and consequences), so too does the priority to respond. The type of action taken to respond will depend on a number of factors, including the extent of control one has over the activity giving rise to risk, available alternatives and costs and knowledge of the context (Obi, 2015:7). Risk assessment is therefore, a critical element of effective peace governance architecture. It is a process that provides evidence on how to manage the cultural, socio-politico economic and environmental factors that may negatively interact to predispose the context to conflict. The key component to the risk assessment is the foreseeability of risk, which is why it is important to devote time to identifying and understanding the interaction of conflict elements in a context in order to inform and strengthen the effectiveness and efficiency of peacebuilding interventions because, if the risk in an area of intervention can reasonably be foreseen, then steps can be taken to address it through conflict sensitive program planning, implementation, monitoring and evaluation.

### **Reframing the notion of peace governance**

There is a budding consensus about the notion of governance that seems to revolve around the capacity to effectively coordinate activities, interventions and processes and deliver results within a particular context. This capacity is often a product of a multiplicity of factors which may include political will, funds, human resources and particularly knowledge of the operational environment. The understanding that any act of governance must necessarily take place within a defined context makes the knowledge of the context even more central to any result oriented governance infrastructure. The United Nations Development Programme (UNDP) defines governance as the exercise of political, economic, and administrative authority in the management of a country's affairs at all levels. Governance thus focuses on the mechanisms, processes, relations, and institutions through which citizens and groups articulate their interests, exercise their rights and obligations, and mediate their differences (UNDP, 2012). This suggests that the notion of governance can be deployed to explain the management of activities, interactions and processes in any context. Following this line of reasoning, we can therefore, have political governance, religious governance, university governance and family governance. What qualifies the act of governance in the various contexts listed above is the prefix. While University governance for instance, suggests the management of the processes within the context of the University, peace governance connotes management of the processes and elements that may enhance or predispose a particular context to conflict.

The notion of peace governance is an emerging idea that is informed by a desire to effectively assess the interaction of the various elements within a context with the intent of conditioning and structuring relevant and evidence based

peacebuilding interventions. Contexts are therefore, generally made up of elements that interact to define them. Two outcomes are produced by any context. First, when elements like drugs and unemployment interact with other elements like cultism and the illicit circulation of small arms and light weapons, such a context is already vulnerable to violence. Second, when elements like drugs and unemployment interact with other elements like sustainable psychosocial support regime, rehabilitation, skills development and employment, such a context is comparatively more likely to experience less violence. The idea of peace governance therefore, is the understanding that knowledge of the interaction of conflict elements within a particular context can significantly strengthen capacity for effective interventions. This study thus, assesses conflict elements in Katsina-Ala local government area of Benue state.

#### **Methodological notes on assessing structural indicators of conflict potentials**

Conflict does not just occur, for it to manifest; it must have laid latent waiting for certain environmental elements to act on it. In conducting a peace and conflict risk assessment (PCRA), it is necessary to identify such elements that can create necessary incentive for latent conflict to be activated. These elements in broad terms are categorised as structural factors, accelerators and triggers. Structural factors often referred to as ‘root causes’ are those factors that form the pre-conditions for crises situation (Ampleford & Wakaba, 2002). Such factors in the context of this study include variables like history of communal clashes, policies of exclusion at the community, local government and state levels, overbearing ethnic consciousness, environmental stress and unresolved boundary issues. Accelerators or precipitators are factors that work upon root causes in order to increase their level of significance; and triggers are sudden events that act as catalysts igniting a conflict such as killing cattle belonging to a herdsman. In identifying risk elements that may predispose the study area to conflict, it is instructive to also identify relevant indicators for determining the risk likelihood estimate and severity of risk posed by the interaction of such elements. The indicators of conflict potentials in the context of this assessment are identified to include; history of intra and inter-communal clashes, circulation of arms, environmental stress, ethnic/tribal consciousness, social amenities, siting of government and donor projects, women and youths involvement in governance, People with Disabilities (PWDs) and local government. The choice of these indicators is informed by the understanding that no single factor can fully explain the cause of a conflict because conflict elements may in most contexts reinforce other factors. Analysis of risk elements therefore, requires a relative assessment of how these indicators interact to strengthen or mitigate the severity of risk.

#### **Methodological notes on assessing structural indicators of peace potentials**

Although, there has been a significant volume of research around the factors that may lead to conflict, there are however, limited studies which focus on the factors that underlie peace. Since peace does not exist in its right, the relative peace of

a community is therefore underpinned by the material, cultural, environmental, economic and political condition of that community-whether it is its history, relationship with neighbours, the efficiency of the formal institutions of government and community structures, policies that promote or weaken exclusion or the structure and processes that anticipate and respond to conflict signals. In identifying the factors that may create necessary conditions for peace as a means of establishing infrastructure for effective peace governance, it is instructive to also review the risk indicators in the context of how they can be transformed to create conditions necessary for peace. Peace indicators here are construed to reflect a system that pre-empt and response to conflict signals, deliberate policies of inclusion, job creation and skills acquisition programmes, disarmament, capacity building, provision of basic amenities and general sensitisation.

These indicators can be seen as highly interconnected and interacting in varied and complex ways to form either virtuous or vicious cycles, with causality running both ways. The animated relationships between these indicators are purely indicative and are not literal interpretations of their interactions. The strength of the various interactions will therefore, depend on the historical, political, economic and cultural circumstances of Katsina-Ala local government. A key advantage of this approach is that because causality can only occur from the past to the present, understanding the history and conflict management mechanisms of the study area can help provide greater levels of confidence regarding the direction of causality of conflict or peace. For example, if peace causes increased productivity, but increased productivity does not result in greater levels of peace, one would then need to know why. Again, while this is not suggested to provide conclusive evidence of the indicators of peace, it does provide us with greater levels of confidence regarding our overall conclusion that the peace indicators as described here are essential for creating societies in which human potential can flourish.

### **Data analysis**

This segment is designed to analyze data collected through the various instruments as highlighted above. A tool that is considered appropriate for this analysis is the Country Indicators for Foreign Policy (CIFP) risk model. The objective is to determine the likelihood estimate and risk severity posed by the interaction of the variables under consideration. Before the analysis, it will be apt to first operationalize the CIFP model.

### **Operationalization of risk index**

The peace and conflict risk assessment in Katsina-Ala local government adopts the Country Indicators for Foreign Policy (CIFP) risk model in determining the likelihood estimate and severity of risk posed by the interaction of conflict elements within the context. The CIFP (2002) risk index is an aggregation of a number of socio-economic and structural indicators. The aggregation function in the context of this assessment is the weighted mean of ten composite indicators corresponding to ten thematic areas that provides guardian to this assessment. Each

thematic indicator is an average of the rank scores on a 9-point scale. Based on this model, scores on thematic indicators are ranked and converted to a 9 point score. To determine the risk likelihood estimate and severity, the 9 point scale is divided into 3 parts to measure the likelihood; *1-3-low, 4-6-medium, 6-9-high*. This ranking is intended to identify critical risk elements and direct attention to mitigating their escalation. This is especially so because the higher the risk elements identified, the higher the threats to peace and the higher the need for risk response mechanisms. An aggregate score range of 6-9 suggest that conflict risk factors are active in the context and the context is seriously predisposed to violent conflict. This also means that there is no defined early warning system in place and a little issue can feed on these active risk factors to trigger conflict that may have a *severe* effect on the development processes in the LGA. A medium aggregate score range of 4-6 indicates that conflict risk elements are partially active in it and the local government is also partially predisposed to violent conflict. This is partially so because there are skeletal systems for conflict management in place. Conflict triggers can act on conflict risk elements in such context with a mild effect on development processes. A context with an aggregate score range of 1-3 suggest that conflict risk elements exist but are inactive. Conflict triggers can act on these risk elements, but there are no structural conflict potentials to escalate such conflict situation. Should conflict erupt in such contexts, it will only have a limited impact on development processes.

The table below presents the scores generated through the questionnaire using the thematic indicators.

**Table 1: Risk indices and likelihood estimate**

<b>Thematic Area(Risk Indicators)</b>	<b>Katsina-Ala</b>
Inter-communal clashes.	<b>8.0</b>
Intra-communal clashes.	<b>8.0</b>
Circulation of arms.	<b>9.0</b>
Environmental stress.	<b>7.0</b>
Ethnic/tribal consciousness.	<b>8.0</b>
Social amenities.	<b>8.0</b>
Siting of projects.	<b>8.0</b>
Women and youths involvement in governance.	<b>9.0</b>
People with Disabilities (PWDs).	<b>9.0</b>
Local Government.	<b>9.0</b>
<b>Aggregate Risk Likelihood Estimate</b>	<b>8.3</b>

**Source: Field Survey**

**Table Notes:** Risk scores are color-coded according to ‘traffic stop light’ scheme where Green (1-3) indicates low risk, Yellow (4-6) represents medium risk and Red (7-9) indicates high risk.

**Table 2: Key issues underlying conflict potentials (Data from FGDs and KIIs)**

Thematic Areas (Risk Indicators)	Inter-Communal Conflicts	Intra-Communal Conflicts	Circulation Of Arms	Environmental Stress	Ethnic/Tribal Consciousness	Social Amenities	Siting Of Projects	Women And Youths Involvement In Governance	People With Disabilities (Pwds)	Local Government
	History of inter-State conflicts (Katsina-Ala in Benue and Takun in Taraba States) History of inter-communal conflicts. History of Internally Displaced People (IDPs) Death and destruction of property recorded. Main conflict issue is land	History of intra-communal clashes Intra-communal conflicts between <i>Buruku, IkuravTiev, Shitile</i> and Katsina-Ala Conflict generated by chieftaincy tussles. The seat of <i>TerKatsina-Ala</i> was contested in court and the litigation process only ended up creating tension. Main issue in conflict is land and exclusion.	Small arms in circulation Acquisition of arms by people for self-defence since there are indication that government has failed in ensuring its primary responsibility of ensuring security of lives and property The spills from the cult related activities by the <i>Ombatsecult</i> in Nassarawa state Government amnesty efforts are yet to completely mop illicit circulation of arms.	Pressure on environment especially for grazing purposes Record of Fulani herdsmen related violent conflict Record of death Bulging population affecting access to land. No record of a system to manage herdsmen related conflicts	High ethnic/tribal consciousness Records of conflicts along ethnic and tribal lines Multicultural nature of Katsina-Ala as a result of its rich agricultural resources attracts people of different culture, tribe and orientation.	Record of social amenities generating conflicts Records of protests calling for the provision of basic amenities Records of provision without a proper needs assessment Records of destruction of social amenities	Record of project siting related conflicts Instances of siting amenities without a proper needs assessment Some amenities are sited without adequate community participation and ownership	Exclusion of women and youths from governance and peace processes. Vulnerability of women and children especially during inter/intra communal clashes.	Exclusion of PWDS from community program and governance processes. Records of abuse, neglect and dejection of people with disabilities No defined programs to cater for the special needs of people with disabilities	Lack of capacity to manage conflict. Lack of Early Warning System No community specific system to deal with rapist No community specific system to deal with the illicit consumption of drugs. Chieftaincy tussles. Market conflict.

Source: Field Survey

**Risk assessment summary for Katsina-Alalocal government  
Katsina-Ala - Very High Risk Elements**

Katsina-Ala is bounded to the North by *IkuravTiev* district and on the east by *Kpav* district. Katsina-Ala town constitutes one of the districts of Katsina-Ala local Government Area and the Katsina-Ala town is found on the South-Western part of Katsina-Ala Local Government Area and Katsina-Ala Local Government Area which is named after the town is situated in the Eastern part of Benue. The town shares the river Katsina-Ala as its Southern and Western boundary with *Buruku* Local Government Area. The local government has a population of about 225,471 (NPC & NBS Web: 2007).

### **History of Inter-Communal Conflicts**

Katsina-Ala has a high risk severity estimate. It has a history of inter-communal conflicts that has generated and sustained various degrees of vulnerabilities. Notable among which is the conflict between Takun in Taraba state and Katsina-Ala in Benue state. The conflict which recorded about twenty deaths in 2015 alone resulted in internal displacement of people. The efforts of the joint committee of Taraba and Benue state and boundary patrol has only succeeded in freezing the conflict. A little heat would therefore, de-freeze this conflict. It is necessary to monitor the interaction of conflict elements in this area. The main issue in conflict is land.

### **History of Intra-Communal Conflicts**

The risk severity score for this indicator is high. Katsina-Ala has witnessed quite a number of intra-communal clashes that have ordinarily created necessary incentives for episodic conflicts. There are records of intra-communal conflicts between *Buruku*, *IkuravTiev*, *Shitile* and Katsina-Ala. The main conflict issue here is land. In addition to communal clashes is conflict generated by chieftaincy tussles. The seat of *Ter*Katsina-Ala was contested in court and the litigation process only ended up creating tension. This, in addition to other conflicts generated from District Headship left fresh wounds in the minds of people.

### **Circulation of Arms**

Katsina-Ala has a high risk severity score on this indicator. The intermittent communal clashes perhaps account for this severity. The government amnesty programme aimed at mopping the illicit circulation of arms from communities in the state is yet to achieve any significant result.

### **Environmental Stress**

The risk score on this indicator is high suggesting that this is also an area to be monitored. Grazing adds pressure on the environment and has often resulted in violent conflict in the area. It is common for instance, to hear words like “you kill my cow, I kill your people” in the area. This holds a very strong signal and clearly highlights the importance the herdsman attaches to his cattle.

### **Ethnic/Tribal Consciousness**

The ethnic/tribal consciousness is high in Katsina-Ala. Though this has not been critically linked to any conflict, opinions from the field suggest that people are loyal to their immediate clan on all issues and threats to this ‘clan loyalty’ have often been resisted. This explains the high risk score on this indicator.

### **Social Amenities**

The risk severity score on this indicator is high. This is so because lack of basic amenities can affect community wellbeing and generate conflict. Though there is no record of lack of amenities induced conflicts, findings suggest that a protest

which may emanate as a result of lack of amenities would ordinarily feed on existing conflict elements to threaten the peace of the area.

### **Siting of Projects**

Siting of projects (whether donor or government) have often resulted in violent conflicts. Conflict for example that resulted in severe injuries erupted when MTN - telecommunication service provider was to mount its mast at *Mbanyan*. Again, the relocation of the *Gbor* yam market resulted in violent protest that claimed lives. The risk score for this indicator is high because some projects are sited without conflict sensitive analysis and stakeholders' involvement.

### **Women and Youths Involvement in Governance**

The risk severity score for this indicator is very high despite lack of actual threat pose by the non-inclusion of women and youths in governance. Findings suggest that a protest from this group would ordinarily escalate as a result of the existing conflict factors in the area.

### **People with Disabilities (PWDs)**

The risk severity score on this indicator is equally very high despite no real challenge pose to the area by way of protest by this group. Again, the tendency for an escalation is high should this group protest.

### **Local Government**

The inability of the local government to effectively pre-empt and respond to conflict situations has place the risk severity score on this indicator very high. It is important for stakeholders to support the local government build a conflict warning and response system.

### **Table 3: Areas of Concern**

The assessment identifies the following as areas of critical concern:

<b>Risk Indicators</b>	<b>Katsina-Ala Lga</b>	<b>Risk Severity Rating</b>
Inter-communal clashes.	8.0	High Risk
Intra-communal clashes.	8.0	High Risk
Circulation of arms.	9.0	Very High Risk
Environmental stress.	7.0	High Risk
Ethnic/tribal consciousness.	8.0	High Risk
Social amenities.	8.0	High Risk
Siting of projects.	8.0	High Risk
Women and youths involvement in governance.	9.0	Very High Risk
People with Disabilities (PWDs).	9.0	Very High Risk
Local Government.	9.0	Very High Risk

**Sources: Field Survey**

### **Definition of indicators**

Technically, indicators are scales used in measuring performance and should be able to reflect what is to be measured to show a change from one position to another. Indicators are generated in line with the SMART principle of Specificity, Measurability, Achievability, Relevance and Time bound. Indicators are however, used here to highlight such factors that can predispose the environment to conflict if not properly managed.

#### **Indicator 1: History of Conflicts**

A community with a history of conflicts has inherent risk elements that make the likelihood of conflict even higher. Collecting data on this indicator was necessary to establish the conflict risk background of the LGA assessed.

#### **Indicator 2: Circulation of Arms**

An environment that is inundated with illicit circulation of arms makes violent conflicts almost inevitable. Illicit arms strengthen risk elements and predispose the environment to fear and vulnerability. Collecting data on this indicator therefore, provided an opportunity to evaluate the interaction of fear generated by the illicit circulation of arms and other risk elements.

#### **Indicator 3: Environmental Stress**

This indicator basically probed for conflicts generated as a result of pressure on the environment. It considered factors like the impact of grazing on the environment and general contestation over land and how the interaction between the activities of farmers and herdsmen impact on conflict potentials.

#### **Indicator 4: Ethnic/Tribal Consciousness**

Identity conflicts in certain instances can lead to protracted violent conflicts. This indicator probed for the risk posed by ethnic/tribal consciousness. It examined how this 'tribal consciousness' feeds on other elements to predispose the environment to conflict.

#### **Indicator 5: Social Amenities**

This indicator was presented in the context of conflict generated as a result of lack of social amenities. Lack of amenities in certain climes has often resulted in protest and conflict. It was necessary to probe for the risk associated with such conflicts.

#### **Indicator 6: Siting of Projects**

Siting of projects especially without community involvement has often predisposed the environment to conflict. This indicator therefore, probed for conflicts generated from the process of choice of project site and how this can interact with other risk elements in the environment.



#### **Indicator 7: Women and Youths involvement in Governance**

The exclusion of women and youths from governance processes has often generated protests especially at the national level. This indicator probed for protest as a result of the exclusion of women and youths from community governance processes and how this may interact with other risk factors in the environment.

#### **Indicator 8: People with Disabilities (PWDs)**

People with Disabilities (PWDs) are often neglected in communities. As a reason of disabilities, PWDs have not been able to organise themselves to the point of becoming a risk factor. This indicator therefore, probed for the likelihood of conflict as a result of the neglect of PWDs.

#### **Indicator 9: Local Government**

The local government is the third tier of government and by virtue of its position, the closest to the people. It is expected that it should be an important actor in managing conflicts at the local government level. This indicator probed for the role of the local government in conflict management and how this role can strengthen or weaken conflict potentials in the locality.

#### **Stakeholders and process analysis**

The assessment highlights the interaction of multiplicity of stakeholders-both obvious and shrouded. The stakeholders are those who are directly or indirectly involved in strengthening or mitigating risk elements in the context under consideration. The stakeholders are identified in this assessment to include primary, secondary and shadow parties. Primary stakeholders are seen to be those whose goals are, or are perceived by them to be incompatible and who interact directly in pursuit of their respective goals. The actions of primary stakeholders therefore, feed on existing conflict elements to enhance the vulnerability of the environment to conflict. These primary actors are identified in the context of the assessment to include the herdsmen and farmers. This is because about 95.0% of conflict risk elements are tied to tussles over land either for grazing or other agricultural purposes. Those who are directly affected by such conflicts are the herdsmen and farmers. Strategies to mitigate herdsmen-farmers conflicts should necessarily be designed in consultation with these actors. Secondary stakeholders are those that are affected directly by the outcome of the conflict but who do not feel themselves to be directly involved. As the conflict progresses, they may become primary and primary may become secondary.

This group first include the community in conflict. Other secondary actors who are affected by the outcome of the various communal conflicts have always been donor partners and government. Lives are lost, properties are destroyed, people are displaced, and education and economic activities are often fully or partially disrupted during conflicts. Donor interventions are also affected during this period. In the post-conflict period, donor partners and government are seen trying to reconstruct the damage done to the environment. This critically interlinked process clearly highlights the need for all stakeholders to work together to identify and mitigate conflict risk

elements from escalation. Shadow parties who are referred to as ‘*conflictpreneurs*’ in this context are often difficult to identify but they stand to benefit from the conflict. Strategies to identify and mitigate conflict risk elements run contrary to their interest and they may play the ‘spoiler’ in the process of looking for solutions. These actors are identified in the context to include arm dealers. It is useful for stakeholders with moral and altruistic tendencies like religious leaders, civil society organisations (CSOs) including women groups to midwife a process that would create necessary incentives for peace. For any meaningful intervention in this area, it would be necessary to thoroughly investigate and identify these stakeholders to be able to map their respective interests.

Findings from the study indicate that there is no defined process of managing conflict at the community and local government levels. What looks like a conflict management system at the community level is the traditional means of communicating developments in the community to a higher traditional authority. This however, cannot pass for a proactive conflict management system because it lacks the element of pre-empting conflicts and activating risk response mechanism. What obtains at the local government level is the traditional method of deploying security agents to conflict areas. This again, cannot be considered a robust conflict management system. A system that is built on reactive measures can hardly pass for a relevant conflict management mechanism in the context of the assessment. A meaningful intervention in this context would have to provide and build capacity on how to manage a proactive conflict management system.

### **Pillars of peace in Katsina-Ala local government**

The Pillars of Peace is a conceptual framework for understanding and describing the factors that create peaceful societies. The indicators used for this assessment are some of the factors that may create incentives for peace if positively harnessed. Peace here can be construed as the attitudes, institutions and structures that, when strengthened, lead to a more peaceful society. Overall, The Pillars of Peace is an eight-part taxonomy which takes into account factors that are supportive of a peaceful environment. These factors are considered to include; a well-functioning government; a sound business environment; an equitable distribution of resources; an acceptance of the rights of others; good relations with neighbors; free flow of information; a high level of human capital; and low levels of corruption (Pillars of peace, 2014). Though this is a framework that is often used to describe factors that are supportive of peace at the national level, it is adapted and deployed to aid the analysis of the interconnectedness of the indicators for this assessment. It is obvious deducing from the identified pillars of Peace that Katsina-Ala local government area lacks basic elements that make an environment peaceful. Drawing from the findings, it is therefore, not difficult to conclude that an environment that can hardly guarantee the security of the lives of its citizens would be peaceful. This is further threatened by pockets of conflicts that have often resulted in death, displacements and increased criminality.

The indicators as used in this assessment are also associated with peaceful environments and are both inter-dependent and mutually reinforcing, such that improvements in one factor would tend to strengthen others and vice versa. Therefore, the relative strength of any one Pillar has the potential to positively or negatively influence the others, thereby influencing peace. To demonstrate how these indicators have an impact on others, consider the example of an environment without communal conflicts. This will undoubtedly have an effect on the business environment, increased farming activities, increased income, sustained development interventions and enrolment of more pupils in schools and generally decreased vulnerability. Due to the interdependent nature of these indicators, the weakening or strengthening of any of these indicators will also weaken or strengthen the others. A peaceful environment is therefore dependent on the strength of all indicators. The pillars of Peace are weak in Katsina-Ala local government area owing to the presence and negative interaction of conflict elements within the context.

#### **Baseline community conflict management system in Katsina-Ala**

Findings from the study indicate that a traditional system of conflict management exists in Katsina-Ala but it is not robust in dealing with the complexities of emerging conflicts. The traditional institution that is naturally saddled with the responsibility of managing community conflicts has no defined system in place that pre-empts conflicts and activate a response mechanism. The traditional ‘village square’ or ‘chief palace’ approach to conflict management is unable to withstand the complexities of modern conflicts. Lack of a community-centred system of managing conflict has strengthened the free interaction of risk elements in the environment. It is necessary in light of this, to provide a system that would more effectively support the community manage conflicts.

#### **Connectors and dividers**

Risk factors are either strengthened by dividers or weakened by connectors, or they may be strengthened by connectors and weakened by dividers. Findings from the study indicate that Katsina-Ala is characterised by elements that can divide people into subgroups-*dividers* or elements that can connect people across subgroups-*connectors*. Dividers like ethnic/tribal consciousness have added more pressure and strengthen risk elements in the environment. Connectors like markets, schools, health centres, water points that are naturally supposed to serve as bridges linking people across divides have often become risk elements. Overall, when these divisions are fuelled or these connectors are undermined, societies can fragment, sometimes even to the point of warfare. When, on the other hand, connectors are reinforced and dividers are overcome, people find ways to live side-by-side, working together to address common problems. Identifying and understanding the dividers and connectors in Katsina-Ala local government area should be a central part of the peace governance architecture. This is because government and development partners’ interventions would always interact with existing dividers and connectors in the communities in which they are executed. As an unintended consequence,

peacebuilding interventions will either support dividers, or connectors, with either positive or negative impacts.

### **How Peace and Conflict Risk Assessment (PCRA) can enhance effective peace governance architecture in katsina-Ala**

Peace governance architecture is a framework that is necessitated by the desire to put measures in place to manage the interaction of negative energies within a particular context so that, such negative energies would not escalate to threaten the peace within that context. This framework is often a skeleton, and what constitute its flesh and blood is the evidence and knowledge of the conflict elements within the context. The process that generates relevant knowledge within this context is peace and conflict risk assessment.

This study has uncovered the conflict elements within Katsina-Ala local government area to include history of inter/intra communal conflicts; illicit circulation of small arms and light weapons, pressure on the environment for farming, grazing and related purposes; ethnic/tribal consciousness and loyalty; inadequate social amenities/utilities; sitting of intervention projects without proper community participation and ownership; inadequate involvement of youths and women in governance and peacebuilding processes; exclusion of people with disabilities from governance and peacebuilding processes and inadequate capacity and lack of a community early warning system moderated and supported by the local government. Land and exclusion constitute about 95% of the core conflict issues in Katsina-Ala local government area of Benue state.

While these findings are by no means exhaustive, it is appropriate to declare, drawing from the foregoing, that the effectiveness of peacebuilding interventions in the context under consideration would depend on projects and programmes that are designed and implemented to address these specific conflict elements. A PCRA in this context therefore, provides the necessary evidence for a bespoke peacebuilding intervention. Proper governance of the peace space requires an in-depth understanding of the conflict elements within a particular context. The idea of designing and delivering peacebuilding interventions without knowledge of the interaction of conflict elements within the context have in certain instances, further entrenched the very conflict the intervention was designed to address.

### **Concluding remarks: Filling the gaps in policy and implementation**

Today, the need for sustainable peace in the society can hardly be challenged. To attain the objective of a peaceful society, government at all levels have often designed and delivered projects and programmes that further predispose society to conflict. Politics has always been the prime culprit in the wrong design and delivery of peacebuilding interventions. The political class often decides what constitute peacebuilding projects and programmes. When people are killed and communities sacked as a result of insurgency, government is quick in setting up camps for those internally displaced and conducting mass burial for victims as a first line of action. In some instances, panels of enquiries are constituted and reports of such panels are

either not generated or implemented. The core issues in conflict that resulted in the killings and displacements are hardly investigated. In such contexts, a relapse and return to conflict is often inevitable.

This paper has made a case for peace governance to be approached deliberately with the intent of identifying and setting up structures to mitigate the interaction of conflict energies within a particular context. It is therefore, safe to conclude that peace and conflict risk assessment is central to effective and robust peace governance architecture.

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## **Nigerian State, Electoral Umpire and Management of Elections: The Journey So Far**

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### **Abstract**

*In recent years, developing societies have embraced election process as means to peaceful change of government. Election involves competition, which requires a body to ensure that the rules of the game are complied with. This study examined the role of electoral bodies in the management of elections in Nigeria. The study interrogated the following research question: Does the appointment of key officials of the electoral body by the executive arm account for the alleged partiality of electoral bodies in Nigeria? The broad objective of the study is to ascertain the impartiality of electoral umpires in the management of elections in Nigeria. Documentary method of data collection which comprised content analysis of books, journal articles, and official documents was adopted. The paper used the Marxist theory of the post-colonial state of Nigeria to unveil the perennial controversy associated with election outcomes in Nigeria. The study established that aside from the 2015 elections, which the opposition party won, past election outcomes in Nigeria indicated that successive electoral bodies collaborated with the political party in government to give the latter victory during elections. The paper recommended among others that the electoral umpire in Nigeria must rise to its responsibility by demonstrating that it is an independent commission indeed.*

**Keywords:** Electoral umpire, Election, Management, Government, Nigeria.

### **Introduction**

Over the years, elections have played a significant role in the choice of governments across nations. Indeed, elections have become an important ingredient of modern representative government. Today, elections are so tied to the growth and development of representative democratic government, so much so that they are now generally held to be the single most important indicator of the presence or absence of governments. By definition, election in this context is seen as the process of choice agreed upon by individual and a group of people, which enables them to make decision and select one or a few people out of many to occupy public position(s). This process of choice usually involves rules and regulations designed to ensure a certain degree of fairness, objectivity and justice to all concerned. In the context of this study, election is the modern form of political recruitment by a larger number of people for the selection of a fewer number who assume legislative and executive powers of the state. It is indeed, the lifewire of modern democracy.

Election into state power positions is usually performed under the umbrellas of political parties. Because elections involve competition among individuals and

groups, it requires an umpire or referee that ensures that the rules and regulations of the competition are complied with irrespective of who is involved in the contest (Nnoli 2003:220). The ultimate goal is to ensure that elections are objectively conducted with free, fair and creditable outcome.

The process of election administration in many emerging democracies has generated a great deal of controversy; especially with regards to the level of independence of the Election Management Bodies (EMBs), their professionalism and the acceptability of the elections they conduct. In Nigeria, the election administration process since independence in 1960, has often resulted in controversy and crisis; arising in part, from the perceived collaboration of EMBS with the successive governments of the country's post-independence regimes Ekundayo (2015). The implication is that the history of election administration in Nigeria has been shrouded in controversy engendered by electoral irregularities.

Indeed, scholars see Nigeria's electoral bodies from different prisms. To some, headship of the body is exclusively for people who are malleable and ductile, which enables the power that be, to swing them like a pendulum to achieve their personal ends. Yet others see it as a body that leaves an indelible sear on its headship. This school of thought believes that no matter how morally upright a man could be, once he is appointed to head the electoral body, he would throw morality to the wind and dance to the whims and caprices of the masters by mortgaging the collective will of the people for that of the selected few who dictate what happens at the corridors of power. This school of thought seems to be holding sway because an appraisal of the past umpires has shown that nobody has headed the agency and come out unscathed. They had always been embroiled in one controversy or the other. The caliber of the past leaders of electoral bodies in Nigeria and how they ended their stewardship shall be discussed later in this paper.

Meanwhile, Nnoli (2003:224) has argued that the partiality or impartiality of the electoral body is a major issue in elections across nations. According to him, the question of who appoints and finances the commission becomes a critical determinant in election outcomes. To him, appointment and financing by the incumbent government which intends to contest the next elections organized by the commission raises fundamental question about the independent of the commission relative to the ruling party and incumbent government officials. He however concludes that the issue of impartiality of electoral commissions is dependent on the strengths of the leadership of the commission to ward off attempts by politicians of all shades to undermine its impartiality.

### **Theoretical Explication**

This study adopts the Marxist theory of the post-colonial state. This theory arose in reaction to the western liberal theory of the state, which contends that the state is an independent force and a neutral observer that cater for the interest of every member of the society. According to the Marxist theory, the state is the product and a manifestation of the irreconcilability of class antagonisms (Lenin, 1984:10-11). As Engels (1942:155) succinctly puts it:



The state is a product of society at a certain stage of development; it is entangled in an insoluble contradiction with itself that it has split into irreconcilable antagonisms which it is powerless to dispel. But in order that these antagonisms might not consume themselves and society in fruitless struggle, it becomes necessary to have power, seemingly standing above society, that would alleviate the conflict and keep it within the bounds of "order"; and this power, which arose out of it, is the state.

The state, which arose from conflict between classes, is as a rule, the state of the most powerful, economically dominant class, which by this means also becomes the politically dominant class and thus acquires new means of holding down and exploiting the oppressed (Jakubowski, 1973:1). Thus, according to Marx (1971:38) "the executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisies". The state autonomy in this class society is therefore more apparent than real for the state remains the instrument of the dominant class for exploiting and suppressing the subordinate class.

It is within the context of the specific character of the neo-colonial state of Nigeria that one can explain and understand why the government in power uses the electoral management body to manipulate elections to its advantage. This also explains why elections over the years were marred by irregularities such as election violence, vote buying, and other election-related malpractices to ensure victory for the incumbents. In Nigeria, for instance, the control of state power means access to wealth and influence and the consequences of its loss can be far-reaching. As a result, the political party in power strives to retain it by all means and at all cost. The state in Nigeria is not differentiated from class struggle and economic competition. This clearly explains why apparatus of the state, including electoral management bodies are used to pervert the rule of electoral process to the advantages of the incumbent government. This further explains why the Independent Electoral Commission (INEC) is ambivalent on whether to respect the hallowed voice of Nigerian voters demonstrated through the ballot boxes or to respect the will of the Commission's employer and sponsor, (government in power), of which the later often prevailed. The inconclusive elections recorded by INEC in recent time, including the Osun State gubernatorial election held on 17<sup>th</sup> September 2018, are case illustrations of this ambivalence.

### **History of Electoral Management Bodies in Nigeria**

It is acknowledged that the success or failure of any election can be traced to the doorstep of the commission saddled with the responsibility of managing the electoral process. It is recognized here that there exist direct link between electoral process and the managing body. It has been posited and widely acknowledged that more than anything, the quality and credibility of elections depend greatly on the competence and viability of the electoral bodies. Nigeria is a classic example of this assertion because it shows a strong relationship between elections and the managing

body. This is because the process of holding elections as a peaceful and orderly means of power transfer has been problematic (Luqman, 2009).

As earlier pointed out, the history of elections in Nigeria has been a chequered one, because electoral conduct since independence has been an exercise in futility, characterized and marred by malpractices and corruption. A flash back at the political history of Nigeria since independence reveal that past efforts at democratization collapsed due to failure of electoral bodies to conduct credible elections. It is also unfortunate to note that electoral commissions in Nigeria have failed to learn from history. The problem faced by past commissions continues to recur and beset present electoral management body while past shortcomings continue to manifest. The process of transition or transfer of power after each successive military regime becomes a process of rebuilding, recreating and bringing into being, institutions that have been dissolved or kept in abeyance. Therefore, the history of hitherto electoral management bodies or commissions in Nigeria has been a history of dissolutions, constitutions and reconstitutions (Okoye2007).

The history of Electoral Commissions in Nigeria can be traced to the colonial era and precisely towards independence. The Electoral Commission of Nigeria (ECN) headed by Sir Kofo Abayomi, was the first electoral management body or commission set up in Nigeria under the colonial regime. ECN planned and administered the 1959 elections that ushered in the first republic. On the attainment of independence in 1960, the then Prime Minister, Sir Abubakar Tafawa Balewa effected a change in ECN and renamed it Federal Electoral Commission (FEC). The FEC headed by Eyo Esua, was the first Nigerian to head a fully indigenous electoral body in the country. The Esua-led electoral body conducted the first post-independence elections of 1964 and 1965 federal and regional elections respectively. The incompetence and inability of FEC to conduct the elections in a free, fair and credible manner and the violence that ensued there from accounted largely for the collapse of the first republic. The military administration of General Aguiyi Ironsi that took-over the reins of government dissolved the FEC (Luqman, 2009).

In 1978, the then military Head of State, General Olusegun Obasanjo, established another Federal Electoral Commission (FEDECO) with Chief Michael Ani as Chairman. FEDECO organized and conducted the transitional elections of 1979 which ushered in the second republic, with Alhaji Shehu Shagari as the First Executive President of Nigeria. President Shagari changed the national chairman of FEDECO from Chief Michael Ani to Justice Ovie-Whisky which conducted the 1983 general elections and re-elected the civilian administration of Alhaji Shehu Shagari. The violence and wanton destruction of life and property that followed the election, led the military take-over of the civilian government and FEDECO was again dissolved (Eguavon, 2009; Okoye, 2007).

During the transition brokered by General Ibrahim Babangida to usher in the aborted third republic, the military administration set up the National Electoral Commission (NEC) with Professor Eme Awa as Chairman in 1987. Professor Awa only conducted the 1987 local government election, which was marred by irregularities before his resignation shortly after. By 1989, Professor Humphrey

Nwosu was appointed Chairman of NEC which conducted the 1993 presidential election. The conduct of the controversial presidential election which was believed by many, locally and internationally as the freest and fairest election ever in the history of Nigeria, was regrettably annulled by the military regime of General Ibrahim Babangida. Babangida thereafter, appointed Prof. Okon Uya to replace Prof. Humphrey Nwosu as Chairman, NEC. Babangida's military regime also installed an interim government before he stepped aside. The annulment of the presidential election in June, 1993 rendered utterly useless NEC efforts at conducting a free, fair and credible election in the aborted third republic. NEC was eventually dissolved in November 1993 after General Abacha overthrew the Interim Government of Chief Ernest Shonekan (Akinboye, 2005; Luqman, 2009).

In 1994, the Abacha regime established the National Electoral Commission of Nigeria (NECON) headed by Chief Sumner Dagogo-Jack. The Commission conducted local government and national assembly elections. The erratic nature of the regime rendered the Commission powerless and ineffective as an independent electoral body. With the death of General Abacha in 1998, NECON was dissolved by his successor, General Abdusalam Abubakar, who established the Independent National Electoral Commission (INEC) in 1998 and appointed Hon. Justice Ephraim Akpata as the first Chairman. The INEC conducted the 1999 general elections and ushered in the fourth republic. Thus, the current electoral body in Nigeria (INEC) is a successor to those electoral bodies which existed before and after independence (Musa, 2001; Okoye, 2007). Dr. Abel Guobadia took over as Chairman of INEC in 2000 after the death of Justice Akpata. On completion of his tenure in 2005, Prof. Maurice Iwu was appointed as Chairman for a five-year tenure which ended in 2010. Prof. Attahiru Jega was appointed in 2010 for five-year tenure. He conducted the 2015 general elections in Nigeria. Professor Mohammed Yahaya, the current Chairman of electoral body in Nigeria, was appointed in 2016 for five-year term. Since the appointment of Professor Yahaya Mohammed, virtually all elections conducted by this body had been declared inconclusive, raising the doubt on the capacity and capability of the electoral body to conduct freely and fairly the 2019 general elections in Nigeria.

From the foregoing, it is evident that headship of the electoral body is exclusively for people who are malleable and ductile, enabling the power that be to swing them like a pendulum to achieve personal political ends. Another argument which appears to be holding sway is that no matter how morally upright a man could be, once he is appointed to head the electoral body, he would throw morality to the wind and dance to the whims and caprices of the masters by mortgaging the collective will of the people for that of the selected few who dictate what happens at the corridors of power. However, what appeared to be an exception to this general believe was the historical 2015 general elections, which the opposition party won.

### **Literature Review**

Extant literature exists on elections and electoral management bodies in Nigeria. Ogudiya (2000:25) asserts that in political history of Nigeria, elections have

failed to produce a procedurally legitimate government as election results are juggled, inflated or annulled. In essence, the bedrock of democratic failures and political instability of the country lies in the absence of legitimate government. Momoh and Adejumobi (2000) emphasized the centrality of elections in a democratic polity. The scholars underscored this quite poignantly thus:

Elections occupy a central place in the democratic process through the animating force they provide for representative government. On the one hand, they serve as an instrument of legitimization for the state and those who managed the rein of state power, while on the other, they ensure political accountability to the people.

In similar vein, Obi and Abutudu (1998) posit that elections offer the electorate the freedom of choice, the power to hold elected leaders accountable and provide against perpetuation of arbitrary rule. Bratton (1999) perceptively submits that in spite of the clear distribution between elections and democracy, elections remain fundamental, not only for installing democratic government but also as a necessary requisite for broader democratic consolidation. Similarly, although elections are insufficient to guarantee democracies, their symbolism is quite powerful and they are important in measuring public support (Breytendah (1997:57). Jinadu (2003:23) insists that the future of democratic politics is inextricably tied to the conduct of free and fair elections and a responsible party system.

Kurfi (1998:34) argues that to Nigerian political practitioners, an election is only free and fair only when one's party or candidate wins it. It becomes rigged, not free and unfair if the election is lost. Thus in Nigeria, the fairness or unfairness of election is dependent on the fortunes at the election of the candidate or party making the allegation. Ayeni and Soremekun (1988:76) conclude that assessing the conduct of elections in Nigeria tends to be difficult, because rigging has become an instinctive reflex action among defeated parties and candidates; it is difficult to sort out the conflicting charges and claims. Dudley (1974:39), Nwachukwu (2003:4) emphasized the power of incumbency in Nigeria elections. Nwachukwu for instance, states that when politicians in both ruling and non-ruling classes regard politics as a zero-sum affair, the electoral process becomes bastardized and the political system put in jeopardy. He stresses that the desire to manipulate power of incumbency in order to remain in power, the desire to expand the power and influence imposed on the electoral body, were the major factors which affected past elections in Nigeria. Similarly, to rig election by the ruling party is an easy operation technically since the government's party commands the loyalty of the officials responsible for electoral administration. Although the electoral rules were clear, both officials and politicians were bent on playing the games according to the rules which could favour the ruling party. Hence the behavior of the officials as well as politicians was incongruent with the competitive model of elections, Faniran (2003:19).

Ake (1981:86) contends that the high incidence of fraud in the electoral processes in the post-colonial state is a consequence of the contradiction between the overdeveloped state and the narrow resource base of the indigenous bourgeoisies.

These classes which could now desire to build up its narrow resource base and now perceived the state as an instrument of accumulation of wealth and control of the state power. Under the circumstances, the state gets immersed in class struggle instead of rising above it. This is why the post-colonial state is incapable of mediating the class struggle hence the incessant violence in Africa. It is pertinent to note that despite impressive documentation on election and election administration in Nigeria, scholars have not actually identified the real causes of election irregularities in Nigeria, thereby creating a gap in literature. We shall try to fill this gap.

### **Institutional Requirements for Credible Election**

The prominent institutional requirements for a free, fair and credible elections or electoral process include independent judiciary, a well-developed system of political parties, security agencies, civil society organizations and a non-partisan electoral body, whose cooperation through the provision of logistical support is vital to the operation of the electoral body. While a well-developed system of political parties is a necessary instrument for competitive elections and an independent judiciary is essential for the resolution of electoral disputes, an independent and non-partisan electoral institution is of the greatest importance to the whole electoral process being the body that is conducting the elections. This is due to the fact that the quality and credibility of elections are directly related to the competency of the organizing institution (Edigheji, 2006; Yaqub, 2006).

### **Composition and Functions:**

The Election Management Body must be truly independent, transparent and impartial in the performance of its functions as stipulated by law. It must also be perceived in reality by all actors in the electoral process to be neutral, objective, and creditable. Apart from the above, it must be competent in the discharge of its constitutionally assigned duties with minimal or no institutional, structural or financial hindrances. It must be truly independent in every sense of the word. It will be stressed here that without a vibrant, competent and strong electoral body, the conduct of elections would be seriously flawed and the whole democratization process thrown into disrepute or grounded to a halt (Luqman, 2009; SSAN, 2003). The duties of an Electoral Management Body according to Musa (2001) and Okoh (2008) include the following among others:

- management of all elections as may be provided for by the constitution or laws of the country;
- registration of political parties in accordance with the provisions of the constitution or laws of the country;
- monitoring and supervision of the activities of political parties including their finances;
- arrangement of annual examination and auditing of funds and accounts of political parties and publishing of a report on such examination and audit for public information;

- preparation, maintenance and revision of voters register for the purpose of any election under the constitution or laws of the country;
- monitoring of political campaigns and provision of rules and regulations which shall govern the political parties;
- ensuring that all its agents which include permanent and ad hoc staff subscribe to the oath of office prescribed by law;
- delegation of its powers to any of its agents, representatives, or officers;
- execution of such other functions as may be conferred upon it by the constitution or laws of the country.

To be able to carry out the above listed functions and ensure a viable and hitch-free electoral system, the electoral management body must be made up of men and women of proven integrity and honesty. This is a very vital factor which any electoral system must have, it is not negotiable. The electoral body must demonstrate a good knowledge of the electoral laws and operate within the framework of these laws in concert and in synergy with political parties, security agencies, media houses, civil society groups and other relevant stakeholders or actors in the electoral process.

This is the surest way by which an electoral body can conduct a free, fair and credible election and maintain a viable and hitch free electoral system and electoral management. Electoral management therefore can be seen as the process of arriving at free and fair selection of candidates to fill public positions. Such activity necessarily should involve well co-ordinate actions by men and women aimed at achieving the goal of peaceful and orderly elections in a political system. Consequently, the overall goal of setting up an electoral body is to ensure a viable electoral system and a hitch-free electoral management (Ighodalo, 2008). In summary, election management involves the management of the following:

- participation of the people in the act of electing their leaders and their own participation in governance;
- activities before, during and after elections;
- legal and constitutional framework of elections;
- the registration of political parties, regulation of political parties and financing of political campaigns;
- the authenticity and genuineness of voters register;
- the liberalism or otherwise of the political process in the country;
- the activities of electronic and print media in terms of access;
- the activities of security agencies and the government in power;
- the independence of adjudicating bodies of elections; and above all;
- the independence or lack of it of the electoral agency, organ or body.

### **Evaluation of Electoral Commissions since Independence**

As earlier pointed out and as it can be easily discerned from the historical analysis on electoral commissions in Nigeria, the history of electoral Management body is a history of dissolutions, constitution and reconstitution. Under these

historical circumstances, it is therefore difficult for the Electoral Commission to develop, take root and build a culture of professionalism and expertise necessary for the conduct of credible elections (Omoveh 2015). In such a situation whereby military interventions and transitional governments are very frequent and rampant, the law and the constitution cannot work. The Commission is denied autonomy and independence, as the power of incumbency by those in power or government is being used, misused and abused. The security agencies are deployed and used against opposition parties or alliances in order to keep those in government in power. This is why it becomes imperative to have election observation and monitoring in place (Okoye, 2007; Wordu, 2011). The present electoral body (INEC), as currently constituted has structural and credibility problems which include allegations of bias, partiality and corruption leveled against it by the opposition parties. It is believed that INEC cannot be completely transparent, honest and unbiased in the conduct of elections because he who pays the piper dictates the tune. This belief is based on the modalities of appointment and funding. Both the appointment of key officers of INEC and funding of its operational activities are carried out by politicians in power (the President and National Assembly – Senate and House of Representatives). The issues of appointment and funding are good weapons that can be used to tame, cage or cow the electoral body by the government in power. Recently, electoral body in Nigeria, represented by the Independent National Electoral Commission (INEC) was nicknamed “Inconclusive National Electoral Commission” because of the allegation that any re-run election result that appeared not to be in favour of the ruling party was declared “inconclusive” by the commission. If INEC must perform transparently, honestly and honourably, these situations must be altered and the constitutional issues of appointment and funding must be given constitutional amendment in order to effect a change (Okoh, 2005). Another important issue that could make or mar an Electoral Commission is the Electoral Act or Law which contains elaborate provisions relating to the powers of the Commission; the National Register of Voters and Voters Registration; Procedure at Elections; Registration and Regulation of Political Parties; Procedure for Election to Local Government; Electoral Offences and Determination of Election Petitions. The due observation and adherence to constitutional and electoral stipulations and timeliness is fundamental to the credibility of elections (Ekundayo, 2015). This has been a fundamental problem confronting Electoral Commissions since independence. The processes and procedures enumerated in the constitution and the relevant electoral laws or acts are processes, steps and stages that must be complied with before the process of voting, collation and announcement of results is completed. If the constitutional, legal or electoral framework of an electoral process is faulty, skewed or manipulated, it may be difficult for such a result to be acceptable to the electorate (Okoye, 2007).

### **Election Management and the Unity of Nigeria – 2019 and Beyond**

The unity of Nigeria is basically tied to sustainable democracy and effective democratic governance. Therefore, the ability of the Nigerian electoral body to conduct the 2019 general elections freely, fairly and credibly is critical in ensuring

the continued corporate existence of the country. With the successful completion of political party primaries and the emergence of political office aspirants, the lenses of both national and international election stakeholders are now on the Independent National Electoral Commission to carry out its statutory function. The question remains, can the Commission muster the courage to conduct the 2019 general election freely, fairly, credibly and conclusively without being seen as biased? Can the Commission really allow the votes of Nigerian voters to count? This issue is fundamental because of the current incidence of election irregularities; including vote buying, intimidation of voters by security agents and allegations that the Commission is inclined to favour the ruling party is alarming. Furthermore, the few just conducted gubernatorial and re-run elections showed the proclivity of the electoral body to give victory to the incumbent ruling party. Already, the political atmosphere is charged with politicians defecting from one political party to the other. INEC has already said that the All Progressive Change (APC) cannot participate in the 2019 general elections in Zamfara State because of the party's inability to conduct its primaries within the stipulated time frame. If the electoral body does not demonstrate utmost degree of integrity, impartiality and neutrality in the conduct of future elections in Nigeria, especially the 2019 general elections, the nascent democracy is doomed and it will be absolutely difficult to stem the tide of cessationist agitations which is capable of undermining the unity of the country. There is general belief that the Independent National Electoral Commission has compromised and onus is on the Commission to demonstrate to the contrary.

### **Findings and Recommendations**

The paper attempted to trace the history of electoral management bodies in Nigeria from 1960 to 2015. It also examined the performances of leadership of various electoral bodies in election management in Nigeria. The paper discovered that headship of the electoral body has exclusively been for people who are ductile, which enables the power that be, to swing them like a pendulum to achieve their personal political ends. The paper equally noticed that the Commission appears biased in support of the incumbent. Considering the role elections play in fortifying democracy and good governance and the critical functions of the Commission, the paper recommend as follows:

1. Considering the fact that the presence of state security agents – the army, police, Nigerian Security and Civil Defense Corps in election venues appears intimidating to civilian electorates, this category of people should not be allowed to secure pooling booths. On the alternative, civil society organizations (CSOs) should be allowed to secure pooling booths.
2. Voting during elections should not be held in one day. Major elections like the presidential, gubernatorial, senatorial, house of representative etc. should take at least one-month span to conclude. Apart from card reader and other electronic devices so far introduced, voting should be done electronically in such a way that as voters are casting their votes, Nigerians wherever they may be shall know the winning or the losing candidate or party. This shall



forestall the ugly cases of election rigging and other election-related irregularities.

3. Government should sincerely embark on human capital development to empower the youths for informal sector employment. This is because informal sector drives the economy the world over today. Once the youths are informally and gainfully employed, they cannot be used as political thugs during elections.
4. The issue of 'godfather' in Nigerian politics must be abolished. The idea does not make the votes of ordinary Nigerian voter count. A situation where election of an individual is determined on who his political godfather is, is a mockery of election and democracy. A case illustration is the dumping of Governor Ambode of Lagos State by his alleged political godfather (the national leader of All Progressive Change (APC)). This action invariably determines who the next governor of Lagos State becomes in 2019; irrespective of peoples' choice.
5. Finally, to protect and deepen democracy in Nigeria, civil society organization should take the front burner in protecting democracy and good governance. The contributions civil society organizations in the ouster of military regime in Nigeria are illuminating.

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## **Getting it Right this Time: Agenda Setting for the Ninth Nigerian National Assembly**

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### **Abstract**

*Agenda setting is fast becoming an established norm in Nigerian legislature both at the national and sub-national levels. This is in recognition of the need to adopt world best legislative practices in order to make the Nigerian legislature more focused and effective. Agenda setting gives policy direction to an Assembly by identifying priorities so that legislators know where to channel their resources in becoming effective. It also states the internal operations and processes thereby serving as legislative compass and directory as it enables the legislators to know where they are starting from and where they are going (target) by the end of their tenure. However, the Nigerian experience since 1999 in this regard is pathetic in the sense that agendas are usually single-handedly set by the presiding officers during their inaugural speeches. This makes it difficult to achieve the essence of the agendas as most of the issues set out are usually unattainable because they do not care much about diverse interests and opinions of members of the legislature. It is on this note that this paper set out to provide a template upon which the 9<sup>th</sup> National Assembly could build its agenda. The paper argues that the process of setting an agenda should be a collegiate one in order to make it inclusive in terms of diversity of members and achievable in terms of realistic goals. The paper identifies the issues responsible for the poor performances of previous Assemblies and urges the 9<sup>th</sup> Assembly to learn from the past experiences. It recommends that the Assembly should first consider electing its presiding officers through consensus to avoid divided house, make the actual salaries and allowances of legislators public, return the country's budget cycle to January-December, and ensure harmonious legislative-executive relations, among others.*

**Keywords:** *Legislative agenda, Ninth National Assembly, legislative-executive relations, Constituency, legislator.*

### **Introduction**

Since the return to democratic rule in May 29, 1999, Nigeria has witnessed twenty years of legislative politics and governance. A stock taking of what transpired in the last two decades would leave much to be desired in terms of the effectiveness and efficiency of the National Assembly in entrenching good governance in the country. At the time the military was departing the corridors of power, much hope was pinned on the legislature as the body of representatives of the people to stimulate development and bring about inclusive governance given the fact that the executive arm was to be headed by a retired military general and one-time military Head of

State (Olusegun Obasanjo), whom was known with his superiority and authoritarian tendencies. However, the scorecard of the legislative politics and governance in the country over the years have led scholars, analysts and other stakeholders to wish for an alternative to what has been experienced as the anticipatory expectations and hopes reposed in the National Assembly are fast becoming hopeless.

Much as the legislature is indispensable in the democratic process, one expects that the institution will at all time strive to meet up with the high expectations reposed on it by performing its sacred duties diligently and avoid any act that would prompt any attempt to question its existence. The experience in Nigeria over the years however suggests that all is not well with the institution. There have been calls for scrapping the institution or reforming it by some individuals and organizations. At some points, those who have held on to the inevitability argument of the institution surprisingly began to call for making it a part time job and reducing the remuneration to the extent that it will discourage politicians who nurse self-perpetuating agenda from bidding to go to the institution. The underlying factor that has prompted the position could be attributed to the perceived high cost of running the institution with output that has not commensurate with what the country is spending on the legislators.

The institution has continued to make headlines in the national dailies mostly for negative reasons. These range from issues of excessive politicking and needless confrontations with the executive to corrupt-related behaviours, thus immersing the institution into the mud of negative public perception. There are several instances where the actions of the lawmakers and the activities of National Assembly as an institution have posed threat to democratic survival. Although, at some points, the lawmakers have fought hard by rising up against the challenges threatening the country's democratic project, however, the actions inimical to democratic survival seem more than the ones saving it from being truncated. Close observations and assessments of the previous Assemblies have shown that the main factor responsible for legislative misfiring in Nigeria is the inability of the legislators to set a good and achievable agenda at the beginning of each Assembly. More often than not, legislative activities were not properly guided by a vision or policy direction which ought to have served as compass that will guide and ensure the achievement of a desirable end to the expectations of Nigerians. Successive Assemblies since 1999 had not been attaching the needed importance to the issue of agenda setting though the legislators are aware of the need for set it at the commencement of each Assembly.

In recent times, the agenda of Assemblies in Nigeria are usually single-handedly framed by the presiding officers during their inaugural speeches at first plenary. However, the 8<sup>th</sup> House of Representatives attempted a break from the norm by putting together an official document giving comprehensive guidelines, general principles and the target of the chamber. Despite this laudable act, the extent by which the document actually guides legislative activities remains a source of concern. Studies have shown that agenda-setting is an important element of any political process (Bachrach & Baratz, 1963; Bratton & Haynie, 1999). This is premised on the fact that it can serve to redirect or even redefine institutional priorities and

perspectives. In a situation where the legislature is deviating, it can serve as corrective mechanism that will assist the institution in retracing its steps. In addition, legislators who wish to have their Bills passed will also know the areas of policy preferences to focus their attention to.

This paper is aware of the fact that each Assembly usually sets and adopts legislative agenda at the commencement of its tenure. Therefore, it is not out of place to assist the 9<sup>th</sup> Assembly in this regard by opening the minds of the legislators to burning issues that require legislative attention. This will enable the legislators to set their priority right from inception and not devote their precious and scarce time and resources to trivial issues that will add up to the already damaged image of the institution. It is in this regard that this paper attempts to x-ray the journey so far in the twenty years of legislative politics and governance in Nigeria. The objective is to identify and engage the salient issues that have characterized the period under review with a view to charting a new course and set an agenda for the incoming 9<sup>th</sup> National Assembly on how to engage in legislative businesses that could engender good governance and reposition the institution to its rightful place in Nigeria's democratic space.

In doing this, the paper is divided into seven sections. The first section is the introduction which is followed by an historical overview of the legislature in Nigeria from the pre-colonial era to the current Fourth Republic. The third section explores the contending issues that have characterized the twenty years of legislative politics and governance in Nigeria. Section four of the paper identifies what have gone wrong with the National Assembly in its legislative governance of the country in the Fourth Republic. The fifth section examines the context, forms and implications of the 2019 legislative elections for the 9<sup>th</sup> National Assembly. The sixth section is dedicated to setting an agenda for the 9<sup>th</sup> National Assembly on how to consolidate on the achievements of the previous Assemblies and right the wrongs observed during the two decades of legislative activities. The seventh section concludes the paper.

### **Historical Overview of the Legislature in Nigeria**

The history of legislative governance could be discussed under two epochs. The first being the pre-colonial and the second being the colonial era. Before the advent of the colonial power, there were evidences that legislative activities (especially lawmaking and oversight) were in existence. Best (2014) attested to this when he noted that kingdoms such as Kanem-Borno empire, Sokoto caliphate and Oyo empire, among others, had legislative processes in their traditional administrative systems. During this period, all powers were centrally vested in Kings (fusion of power), but legislative functions were noticeable in the Councils. Unfortunately, the political institutions in this period were considered sub-standard and of no value from the perspective of the Eurocentric writers. The European scholars and politicians argued that all the pre-colonial political institutions in Africa were too primitive, thus replaced with the introduction of the European stereotypes even though there were little differences between the British-introduced ones and those of Africa. Arising from this, the African institutions were tagged 'informal'.

The second epoch began with the introduction of 'formal' legislative institutions in the administration of British colonies. The first formal legislature established by the British colonial government in Nigeria was the Lagos Legislative Council in 1862 when Lagos was declared a Crown Colony (Goitom, 2017). The Council was headed by the Governor who also doubled as the executive head and the essence of the Council was to advise and assist the Governor of the Colony (Ojo, 1997).

However, the development of a national legislature began with the abolition of the Lagos Legislative Council and the establishment of the 'Legislative Council' in 1922. The 'Legislative Council' was an institution made up of forty-six members including six Nigerians to legislate for Lagos and Southern Provinces (Nwosu, Olaniyi & Oyedele, 1998). The emergence of the national legislature was connected with the agitations by the National Congress of British West Africa (NCBWA), a body established in 1920 in Gold Coast (now Ghana) as an umbrella body for all nationalists across the four British colonies (Nigeria, Ghana, Gambia and Sierra Leone) in the region (Alli, 2004). It was made up of educated nationalists from British West African countries who felt dissatisfied with the legislative structures in the region and demanded for greater participation of Africans in the administration of their countries (National Assembly, 2010). In 1946, Sir Arthur Frederick Richards through the Nigeria (Legislative Council) Order-in-Council of 1946 reviewed and established a new national legislature still known as the Legislative Council but different in terms of membership composition. For the first time in the history of the country, the new Legislative Council was empowered to legislate for the whole country (National Assembly, 2010).

In 1951, based on the recommendations of the 1950 Hugh Foot-led Ibadan conference, Sir John Stuart Macpherson through the Nigeria (Constitution) Order-in-Council of 1951 abolished the Legislative Council and established a new central legislature known as the House of Representatives (Goitom, 2017; Nwosu, Olaniyi & Oyedele, 1998; National Assembly, 2010). The House of Representatives continued to serve as the only central legislature (though with amendments in membership composition and electoral method by Oliver Lyttelton in 1954) until 1959 when the Nigerian Senate was established bringing about the adoption of a bicameral legislature in the country. In 1960, the independent Nigeria borrowed a leaf from Britain by adopting a parliamentary system of government with two chambers known as House of Representatives and the House of Senate. However, the military intervention in Nigerian politics in 1966 led to the suspension of the legislature. Thirteen years later, democratic rule was restored in 1979 and the legislature was renamed as 'National Assembly' (Ojo, 1997; Nwosu, Olaniyi & Oyedele, 1998). Nigeria dropped the parliamentary system and opted for the presidential system retaining the bicameral type of legislature. Subsequently, the National Assembly only existed for four years after which the General Muhammadu Buhari-led military struck and put it under lock and key in 1983 that lasted for sixteen years.

Despite the military rule, the country had a stint of legislative politics between 1992 and 1993 which was regarded as Third Republic before it was aborted. This brought about political rumbles in the country and led to the clamour for the re-

introduction of democratic rule. The eventual military disengagement from power after sixteen years reign returned the country back to democracy in 1999. This signaled the emergence of the Fourth Republic and the National Assembly was re-introduced as the country's national legislature. The current National Assembly in the Fourth Republic emerged from the 1999 general elections. Hundreds of candidates under different political parties contested for the coveted 469 federal legislative seats in an election conducted by the Independent National Electoral Commission on February 20, 1999. Upon the inauguration of both chambers on June 3, 1999, Nigeria has had to contend with the good, bad and ugly consequences of legislative politics and governance. By the successful conduct of legislative elections in February 2019, Nigeria has witnessed twenty years uninterrupted legislative politics and governance, the first in the history of the country.

### **Contending Issues in the Twenty Years of Legislative Politics and Governance**

The Nigerian experience of the twenty years of legislative politics and governance is characterized by a mixed reaction owing to a number of issues. On the one hand, while some of these issues seem to promote democracy and good governance, others tend to pose threat to democratic survival in the country. On the other hand, the National Assembly is enmeshed in internal controversial issues and at some points engaged in confrontational battles with the executive arm of government. It should be noted that some of the issues have earned the legislature kudos from the public but the ones that have resulted in knocks for the National Assembly seem more. This is why many people see more of the bad side of the institution than the good side. Out of the positive issues, two prominent ones stand out. The first was the issue of tenure elongation bid of President Olusegun Obasanjo (otherwise called third term agenda) in 2007 thwarted by the National Assembly. The President through some controversial means, attempted to sway the National Assembly to amend the 1999 constitution to allow him stay in power beyond the eight-year term limit provided for in the constitution but the majority of the legislators moved against the bid thus preventing the sit-tight syndrome which many African countries are known for. Though the circumstance behind the rejection is controversial as there are claims that the legislators were lobbied with N50million each by the President which some accepted and other rejected (Ameh, 2017; Godwin, 2017; Umoru & Erunke, 2016). Despite the pressure from the executive, the National Assembly was steadfast and committed to protecting the country's nascent democracy, a feat that earned it praises from home and abroad. The second prominent issue was the declaration of the 'doctrine of necessity' by the National Assembly which made the then Vice-President Goodluck Jonathan to assume the position of Acting President when President Umaru Yar'Adua was indisposed (Ogbeide, 2010). This action saved the country from plunging into constitutional crisis, a feat that also placed the National Assembly on the positive side of the Nigerian political history. Nigerians were grateful to the National Assembly for saving the country's democracy by blocking the loophole which the military could have hung on to truncate the hard-earned democracy (Vanguard, February 12, 2010).

However, issues that placed the National Assembly on the negative public perception started with the intrigues and intricacies that surrounded the election and selection of its principal officers, immediately the institution was inaugurated in June, 1999. The drama was also extended to the appointments of Committee Chairmen as legislators were seen desperately lobbying to head juicy Committees not because of what they can offer but what they stand to gain. The process became worrisome as it heightened political tension in the country given the clashes of interests between members of the National Assembly and some external institutions such as the state Governors who had attempted to influence the process against the wish of the President thus, leading to ethno-religious cold war. Ever since the institution took-off on the note of disordered selection of its leaders, it has become a norm in the operation of the Assembly in Nigeria. The fallout of the manner of appointing the Assembly leadership was the instability especially in the leadership of the Senate witnessed in the Fourth Assembly. The height of this disturbing trajectory was the way the leadership of the 8<sup>th</sup> National Assembly emerged. The battle for the coveted offices of the presiding officers of both chambers was tense to the extent that it pitched members of the same house against themselves. On the one hand, was the ruling party (APC) leadership which attempting to enforce party supremacy to install Senator Ahmed Lawan and Honourable Femi Gbajabiamila as the Senate President and House Speaker respectively and on the other hand was the opposition backed disgruntled legislators led by Senator Bukola Saraki and Honourable Yakubu Dogara; the outcome of which saw the emergence of the two as the presiding officers. However, the fierce contest later cost both the presiding officers their peace of minds throughout their tenure that eventually led to their defection to the opposition party (PDP).

For most part of the period between 1999 and 2019, Nigerians witnessed what could be described as excessive politicking and needless confrontations between the executive and the legislature. The reason for this is traceable to the attempt by the House of Representatives under the leadership of Rt. Hon. Ghali Umar Na'Abah to impeach President Olusegun Obasanjo on August 13, 2002. The House gave the President two weeks to resign or face impeachment for committing seventeen constitutional infractions ranging from "illegal" deployment of troops to "murder" of innocent civilians in Odi and Zaki Biam; to his refusal to pay deserving States the 13 per cent derivation fund, among other offences (The Punch, December 23, 2002). This led to serious political battle between the two arms of government. While the House was in tangle with the executive, the Senate which ought to serve as the stabilizing factor was enmeshed in internal leadership tussle leading to incessant impeachments of the Senate Presidents which resulted in the emergence of three Senate Presidents within four years. The leadership crisis was believed to be instigated by President Obasanjo in order to have his puppet installed as the Senate President to check the relentless power intoxication of the House of Representatives. However, the confrontation was politically settled with dire consequences for the major actors in the House, as they never returned for sophomore term (Saliu & Bakare, 2016a). The governance environment in the country however witnessed a



relative peace and harmonious working relations between the two arms of government during the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Assemblies but the situation became worsen in the 8<sup>th</sup> Assembly where the National Assembly mostly served as opposition to almost every move of the executive despite the fact that both arms were hitherto controlled by the same party. The relationship was hostile to the extent that it affected the governance and process and seemed to have slowed down the pace of governing process in the country. While the executive has its own share of the blame, the National Assembly was more blamed by the public as it alleged to have been deliberately frustrating the efforts of the executive at developing the country and fighting corruption (Aworinde, 2019).

One other major challenge that characterized the twenty years of legislative politics and governance in Nigeria was the wide allegations and the condemnations of the National Assembly for corruption-related activities. The instances of corruption activities are too enormous that the institution has become synonymous to 'house of corruption'. Several people at one time or the other refer to the National Assembly as a den of thieves and self-centered people. A celebrated accusation was that of Obasanjo (2016) when he publicly described the National Assembly as "an assemblage of thieves and rogues". Earlier, Olaye (2015) had referred to Nigerian legislators as 'legislathieves', as a result of the practice of self-appropriation of allowances such as furniture, wardrobe, newspaper, with outrageous amount and the secrecy surrounding the exact remunerations of the lawmakers. However, it took another dimension when the issue of vehicle purchase scandal rocked the Rt. Hon. Dimeji Bankole-led House of Representatives in 2010. Despite public outcry, there seems no end in sight to the trajectory as the National Assembly continuously engages in vehicle scandals. The 8<sup>th</sup> Assembly also purchased 109 Toyota Land Cruiser Sport Utility Vehicles (SUVs) at N35 million apiece for Senators and 360 Peugeot cars for House members despite strong opposition from members of the public (Thisday, April 28, 2016). Aside the vehicle purchase scandals, there are other corruption cases most of which are yet to be resolved. These include: The Maina's N195billion Pension Scam involving Senator Aloysius Etuk, the Kerosene subsidy scam, Esai Dangabar's Police Pension Fund Fraud involving members of the Senate joint Committees on Establishment and Public Service Matters, and State and Local Government Affairs (Adams, 2015), Stella Oduah's N255 million armoured car scandal, the Missing N20billion Naira oil money, and the Farouk Lawan's \$620,000 bribe from Femi Otedola in the fuel subsidy scam, among others.

The issue of public perception of the National Assembly as a corrupt institution is one that refused to abate since the inception of the Fourth Republic. The National Assembly is seen as a conduit pipe through which public funds is siphoned, especially under the banner of constituency project fund and extraneous allowances that are shrouded in secrecy despite public outcry for the institution's finances to be made public (Egburonu, et al., 2017). Although, the legislators are aware of the negative perception and described it as worrisome (Umoru, 2016), it is noteworthy that the legislature is not doing enough to correct it. Instead, the National Assembly features in the news on issues inimical to development and democratic survival.

Prominent are the issues of corruption scandals, insensitivity and irresponsiveness to the needs of the people at critical periods (such as purchasing bullet proof vehicles during recession when the executive was finding it difficult to pay workers' salaries), and failure to pass important bills like the Petroleum Industry Bill, among others. The National Assembly is also alleged to be frustrating the anti-corruption fight through non-passage of Special Criminal Courts Bill initiated by President Buhari in 2016 (Nnamdi, 2017). Consequently, the negative perception of the Assembly has continued as a result of trivial acts, unprofessional and corruption-related actions of some legislators and the management of the National Assembly. More recently in this regard is the sale of office equipments to outgoing 8<sup>th</sup> Assembly lawmakers at ridiculous prices when the newly elected lawmakers of the 9<sup>th</sup> Assembly could still make use of the equipments. The non-returning lawmakers were allowed to purchase their office equipments at the paltry sum of N349,970.50 of which the current market value is put at about N3million (Anofi, 2019; and Independent, May 26, 2019). This act has continued to generate negative comments from the public that are making more damaging to the already soiled image of the National Assembly.

The issue of constituency projects' funds has also become a consistent stroke that has broken the camel back in the twenty years of legislative governance in Nigeria. There is a wide allegation of legislators diverting the Constituency Development Fund (CDF) for personal use and counter argument that the legislators do not handle the funds but only present their project priorities to the MDGs for execution. The issue of constituency project started during the tenure of President Obasanjo at the request of the members of the National Assembly under the argument of taking dividend of democracy to their people in response to the demands of their constituents. Subsequently, the President yielded to the pressure of the lawmakers by inserting the selected projects of all lawmakers into the federal government's annual budgets to be implemented by the relevant MDGs. This act has continued till date and the total cost of the CDF is now N100billion shared among the 469 lawmakers in the ratio of 60:40 for the House of Representatives and Senate respectively.

The principal officers of the Senate shared N20billion and the remaining N20billion is spread across all the 109 senatorial districts not minding the fact that the principal officers had already taken half of the fund. The same trend goes in the House where the principal officers shared N20billion with the remaining N40billion distributed across the 360 federal constituencies inclusive of those of the principal officers. This sharing formula leaves each lawmaker with a sum of N200million annually for constituency projects. The argument of the lawmakers is that they only earmark the projects but the award of contracts and execution is done strictly by the executive through the MDGs. However, there is a subsisting allegation that the lawmakers do influence the bidding process by nominating the contractors who are instructed to inflate the project costs in a bid to take kickbacks from the contractors by the lawmakers. In some cases, the lawmakers are alleged to front their personal companies for the contracts and in most cases, end up diverting the money to personal uses without executing most of the projects (Busari, 2018). This allegation was recently proved right by the claim of the Chairman of the Independent Corrupt

Practices and other Related Offences Commission, Bolaji Owasanoye that after declaring a fight against non-execution of constituency projects, legislators who have diverted the CDF have begun to mobilize contractors back to site to execute the projects (Sunday Punch, May 5, 2019).

The actions and attitude of the National Assembly toward the budget making exercise also attract the attention and generate some concerns among stakeholders, analysts and the public. The lawmakers are known with their habitual delay in the passage of the Appropriation Bills (Saliu and Bakare, 2016b). It takes an average of four to five months for the National Assembly to pass the Bill, making the budget year to be delayed by close to five months into the new fiscal year; an action which the executive usually decried (Ehikioya, 2019a). For instance, the 2019 Appropriation Bill was passed and assented to by President Muhammadu Buhari on May 27, 2019 eating into the fiscal year by 5 months. Though the executive also errs by failing to present the Bill in record time to give the lawmakers the ample time to legislate on it, much of the blame is put on the legislature. Aside the time issue, there is also the allegation of corrupt practices by the lawmakers in the budget process where they secretly insert projects without the knowledge of the executive. This led to the much celebrated budget padding allegation in 2016 by Honourable Abdulmumin Jibrin which eventually led to his suspension for 180 legislative days. The 2019 budget also witnessed similar fate as the President reluctantly signed the budget into law noting his displeasure on how the National Assembly injected N90.33billion new projects into it without the knowledge of the executive, claiming the act would disrupt the efficient implementation of his policies (Ehikioya, 2019b).

The twenty years uninterrupted legislative experience of the country cannot be better discussed and concluded without the mention of the alleged scandalous salaries and allowances of the lawmakers. Going by the official breakdown of the salaries and allowances of legislators in Nigeria by the Revenue Mobilization Allocation and Fiscal Commission (RMAFC), an organization solely saddled with the responsibility of fixing the emoluments of public servants, a Senator is entitled to N12, 902,360.00 annually as salaries and allowances with N24, 090,000.00 as accommodation, vehicle, furniture and severance package payable once and for all for 4-year tenure (excluding estacode and tour duty allowances). On the other hand, a member of the House is entitled to N9, 525,985.50 annually as salaries and allowances also excluding estacode and tour duty allowances; with N23, 822,000.00 as a one-time pay for accommodation, vehicle, furniture and severance package. However, there are wide allegations that the national lawmakers earn far more than what the RMAFC allocated to them. This entails earning self-appropriated allowances outside the purview of their official pay. This allegation was corroborated by Honourable Abdulmumin Jibrin who disclosed that each member of the House of Representatives earns about N10million monthly (Adesanya, 2016). The position of Hon. Abdulmumin Jibrin on the unofficial earnings of the legislators is one too many. There are several claims on the guesstimate figures of the annual salaries and allowances noted by prominent persons that could not be out-rightly discountenanced. For instance, Prof. Itse Sagay, who is the Chairman of the Presidential Advisory

Committee on Anti-corruption to President Muhammadu Buhari, claimed that information available to him shows that a Nigerian Senator earns about N29 million a month and over N3 Billion a year (Adebayo, 2017). Despite public outcry and press triggering the Freedom of Information Act in this regard, the National Assembly remains adamant to public declaration of the actual entitlements of each member. The refusal to publicly declare the legislative pay is a sign that they are earning more than the legally appropriated entitlements (Mahmud, 2017).

### **National Assembly and Legislative Governance in the Fourth Republic: What went wrong?**

From the foregoing discussion of Nigeria's twenty years' experience in legislative politics and governance, a number of issues can be identified to have gone wrong which consequently placed the National Assembly in a precarious state in the discourse of democratic rule in the country. Although, these issues are enormous, this paper only identifies the salient ones in order to set the ground upon which the reformation of the institution will be made especially as expected of the 9<sup>th</sup> Assembly.

The first obvious aspect where the National Assembly has been getting it wrong is the issue of the election of presiding officers, appointment of other principal officers, and selection of Committees membership. The emergences of the principal officers have barely come without one form of drama or the other. The intrigues and intricacies that usually characterized the elections of the presiding officers have been denying the institution of leadership stability which has jeopardized the effectiveness chances of the legislature. This chiefly made the institution to be seen as the 'indispensable bad egg' among the three arms of government. For instance, the 4<sup>th</sup> Senate had three different Presidents in four years, while the 4<sup>th</sup> House had two Speakers. Each of the impeached officers was removed as a result allegation that was politically blown out of proportion. Senator Enwerem was impeached on allegation of outrageous furniture scandal while Okadigbo was axed on 'Salah ram' scandal. In the House, Salisu Buhari was kicked out as a result of certificate forgery (from University of Toronto in Canada) which brought about the sobriquet of 'toronto certificate' in Nigeria's socio-political discourse. The trend continued in the 6<sup>th</sup> House when Honourable Patricia Etteh was removed in what is today known as *Ettehgate* in Nigerian politics. This trajectory is not limited to presiding officers, as chairmen of Committees and other principal officers are removed in controversial circumstances devoid of due process. Examples are Honourable Abdulummin Jibrin as Chairman, House Committee on Appropriation which led to budget padding allegation, Senator Babajide Omowore as Chairman, Senate Committee on Rules and Business and Senator Ali Ndume as Majority Leader in what is today regarded as legislative coup, all of the 8<sup>th</sup> National Assembly.

The manner by which the National Assembly handles the annual national budgets leaves much to be desired. Since the advent of the 8<sup>th</sup> Assembly, there have been series of allegations and counter-allegations on the politics of budget making process which usually place the institution at the receiving end of the blame. The National Assembly is alleged to have developed the habit of deliberately delaying the

budget for months thus, holding the country to ransom. For instance, President Buhari decried the action of the National Assembly in this regard and claimed that he ranked the Senate President (Saraki) and Speaker (Dogara) low in patriotism for delaying the budget (Aworinde, 2019). However, Dogara rejected the accusation by blaming the executive for causing the delay. He claimed that the President usually presents the budgets in December and the National Assembly needs 3-4 months to work on it. In addition, the Ministers usually foot drag when called upon to defend their budgets to the extent that some Ministers see themselves too big that they sent their permanent secretaries after the intervention of the President (Opejobi, 2019). Aside the delay, the 8<sup>th</sup> National Assembly is also accused of padding the budget. This allegation is weighty given the fact that it is emanating both within and outside the institution. The much celebrated accusation by Honourable Abdulmumin Jibrin that the House Speaker, Yakubu Dogara padded the 2016 national budget showed that the allegation cannot be brushed aside coming from the then Chairman of House Committee on Appropriation. Recently, the National Leader of the APC, Bola Ahmed Tinubu also accused both Saraki and Dogara of padding national budgets for the four years of their stewardship by cutting the fund appropriated to projects that are beneficial to Nigerians and using same fund to insert their self-interest pet projects (Adetayo, Aborisade, & Baiyewu, 2019). The Senate President also refuted the claim and challenged Tinubu to produce evidence that the National Assembly padded the national budget (Baiyewu, 2019). Regardless of the swift response by the leadership of the National Assembly on the allegations, the legislature is getting it wrong in the handling of the national budgets.

A review of the lawmaking performances of the previous Assemblies would show that the institution is negatively affected by low capacity on the part of most lawmakers. The lawmakers are not well trained or lack the capacity to push their Bills through the legislative cycle. The gaps between the number of Bills initiated to the ones passed, and the number of passed Bills to those assented to by the President is a testimony for this shortcomings. For instance, the Senate of the 4<sup>th</sup> National Assembly received 250 Bills, out of which only 64 were passed, the 4<sup>th</sup> House also processed 325 Bills but only 103 were passed. The same trend was recorded in the 5<sup>th</sup> Senate with 426 Bills processed out of which only 129 were passed. The 5<sup>th</sup> House processed 343 Bills but could only passed 168. While the 6<sup>th</sup> Senate passed 72 Bills out of 477 Bills processed, the 6<sup>th</sup> House passed 152 Bills out of 503 Bills initiated. The 7<sup>th</sup> National Assembly was indifferent as the Senate received 615 Bills but only passed 125 and the House received 792 Bills out of which only 192 were passed (NILS, 2016). In aggregate, the Senate received 1,788 Bills between 1999 and 2015, only 390 were passed signifying 21.8% effectiveness. The House in the same period received 1,963 Bills but could only passed 615 accounting for 31.3% performance level. More disturbing is the fact that, out of the average 503 Bills concurrently passed by both chambers, only 244 of the Bills were assented (i.e. 48.5% performance level) given the enormous human and material resources expended on the process. This clearly shows that most of the legislators lack the capacity to push Bills through the legislative cycle, and the National Assembly as an institution also

lack the wherewithal to engage the Presidents to assent the passed Bills into law. Therefore, the leadership of the institution is getting it wrong in the area of capacity building of the legislators. This has multiplier effect on the overall performances of the institution in terms of lawmaking, oversight, representation and budgeting functions of the National Assembly. At the individual level, some lawmakers were seen not effective by their constituents thus paving way to their electoral defeat among other factors which consequently led to the high legislative turnover witnessed in the previous Assemblies. The implications of the high turnover are seen from its effects on quality legislations, loss of institutional memory, resources wastages, and the disconnection between the legislature and the people, among others (Saliu and Ifejika, 2016).

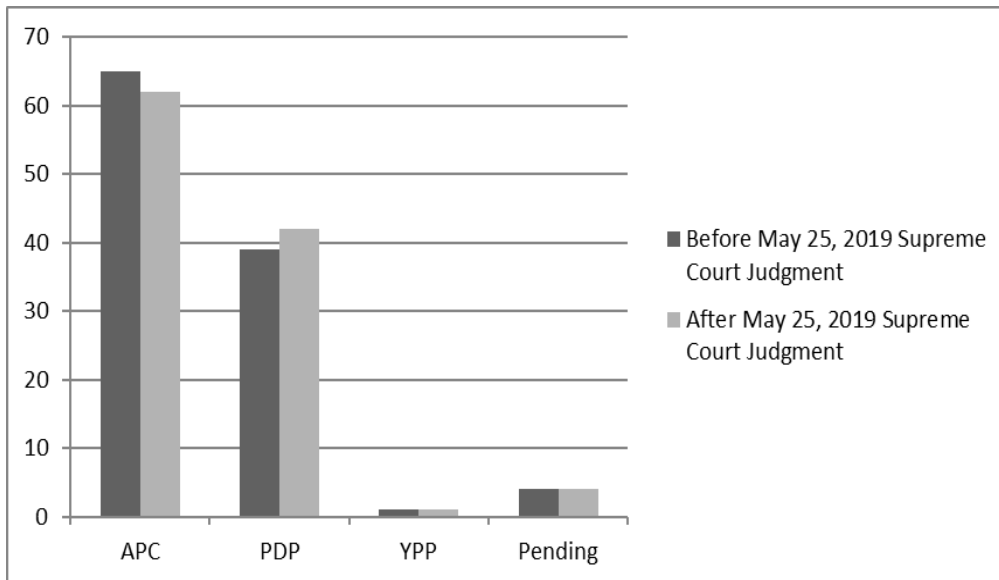
Aside the foregoing, there are other numerous issues that went wrong in the twenty years of legislative governance in Nigeria. These include: poor institutional funding, high materialistic tendencies of legislators, negative public perception and poor image management, cold legislative-executive relations, legislators' stance on anti-corruption crusade, secrecy of financial transaction especially legislators' salaries and allowances, and controversy trailing the management and operation of constituency projects, among others.

### **2019 Legislative Election: Context, Forms and Implication for the 9<sup>th</sup> National Assembly**

In line with Section 68 of the 1999 constitution (as amended) which sets a four-year tenure for the members of both chambers of the National Assembly and Section 71 that mandates the Independent National Electoral Commission (INEC) to conduct elections to fill the 469 seats, the 2019 legislative elections were held on February 23, 2019 with supplementary polls held on March 9 of the same year. While the outcome of the elections sprung some surprises in some areas, it went as expected in others. In all, the ruling APC maintained its dominance in both chambers with an increased number of seats. However, the main opposition PDP lost some seats during the election but gained a number of seats through the court order.

The Senatorial elections saw the APC winning 65 seats out of the 109, with the PDP coming second with 39 seats while YPP claimed one (1) seat to represent Anambra South Senatorial District. Out of these figures, both APC and PDP won two (2) seats each through supplementary election while the remaining seats were won at the main election. As at the time of writing this paper, four (4) seats were pending out of which APC's victory in Imo West Senatorial District was put under hold by INEC as a result of the claim that the result was declared under duress. The electoral management body had earlier vowed not to reward electoral rascality by withholding the certificate of return, an action which the candidate (Rochas Okorocho) is currently challenging in the law court. The remaining three (3) pending were those of Imo North, Rivers East and West Senatorial District. However, as a result of the judgment of the Supreme Court which nullified all votes cast for the APC in Zamfara State due to the party's failure to conduct primary election which is a prerequisite to participate in the election, the PDP that came second (as the first runner up) in the election

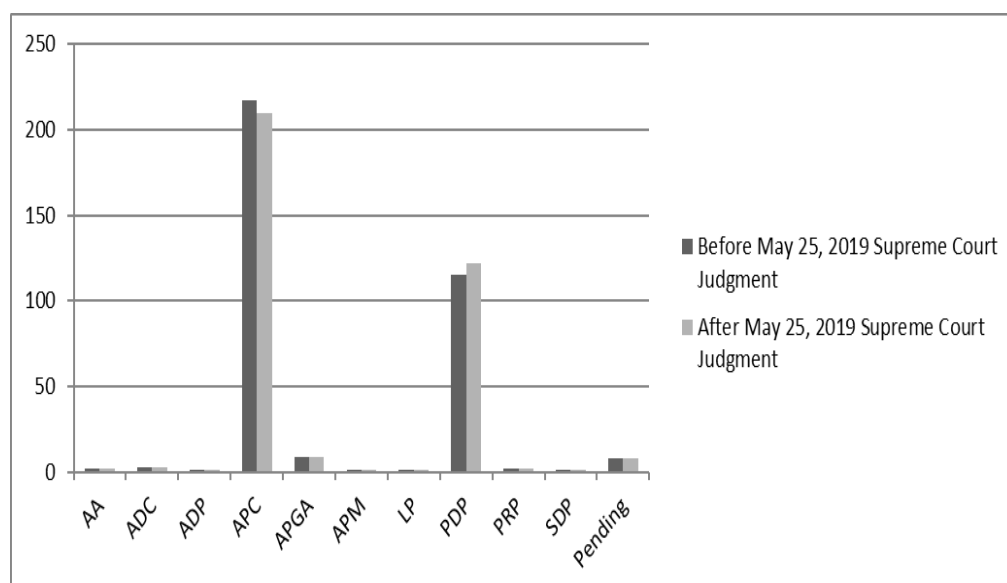
benefitted by clinching all the three (3) Senatorial seats in the state. This brought about a change in the tally with APC having 62 seats, PDP with 42 seats and YPP maintaining its one (1) seat with four seats (pending). This analysis is presented in figure 1.



**Figure 1: Graphical Analysis of the Outcome of the 2019 Legislative Election (Senate)**

Source: Authors' computation with underlying data from INEC official website (<https://www.inecnigeria.org>)

The outcome of the House of Representatives elections followed a different trend as smaller opposition parties were able to win some seats. The two major parties shown their dominance in the House as APC earned 217 seats (60.3%) making it the majority party while PDP won 115 seats (31.9%). APGA came in distance third with 9 seats accounting for 2.5%. The ADC party won three (3) seats (0.8%) and both AA and PRP won two (2) seats each (0.6%) with APM, SDP, ADP and LP winning a seat each (0.3%). Eight (8) seats are pending. As applicable to the Senate, the Supreme Court judgment of May 25, 2019 also affected the seat allocation in the House with APC losing all seven (7) seats to the PDP in Zamfara State. Thus, the seats strength of the APC reduced to 210 while that of the PDP increased to 122 in an inverse relationship. The current seats won by the parties are shown in figure 2.



**Fig 2: Graphical Analysis of the Outcome of the 2019 Legislative Election (House)**

Source: Authors' computation with underlying data from INEC official website (<https://www.inecnigeria.org>)

From the analysis, the ruling APC maintained its majority position while the PDP remained the major opposition amidst the other minor parties. However, the APC failed to secure two-third absolute majority in both chambers needed to unilaterally take decisions and sway legislative floor voting to its side. In the Senate, a party need to secure 73 seats to make two-third and the APC was able to win 62 seats, which is 11 short of absolute majority. The implication of this is that decisions will be taken by negotiations in the Senate. The APC caucus will need to convince at least eleven opposition Senators together with all its members to form the two-third votes needed in decision making. In the House of Representatives, the APC also could not gather the two-third required to form absolute majority. The ruling party gathered 210 seats which fall short of the needed 240 seats by 30 seats. This implies that the House will be devoid of possible legislative tyranny of the ruling party as decision will also be taken based on negotiations and cooperation.

Aside decision taking and floor voting, another implication of the electoral outcome can be seen from the perspective of electing the presiding officers in both chambers. Section 50 (1) provides that:

There shall be:- (a) a President and a Deputy President of the Senate, who shall be elected by the members of that House from among themselves; and (b) a Speaker and a Deputy Speaker of the House of Representatives, who shall be elected by the members of that House from among themselves.

By implication, the positions of the Senate President and Speaker with their deputies are not exclusively reserved for the party with majority seats. The wordings



*'who shall be elected by the members of that House from among themselves'* implies that the presiding officers could be elected from any political party. In addition, the Standing Order of the House of Representatives in Order 2, Section 3 (g) provides for the mode of declaring the Speaker in an election between two or more members-elect. A Speaker is said to be duly elected if he/she is able to garner more than half of the votes cast. However, the Standing Order of the Senate provides for simple majority of the votes cast. This signifies that the PDP could spring a surprise and bring about the reoccurrence of the June 9, 2015 experience where the presiding officers positions were shared between the two dominant parties. On the one hand, the PDP with 42 members in the Senate could form alliance with either of Senators Ali Ndume or Danjuma Goje to retain the Deputy Senate Presidency provided any of them could provide 13 votes from among the 62 APC Senators-elect to upset the APC-anointed candidate, Senator Ahmed Lawan of the APC. This permutation is not impossible as it is not a tall dream that is out of reach. On the other hand, the permutation is unlikely in the House of Representatives as the PDP need 58 votes together with its total 122 votes to spring any surprise against the APC-anointed candidate, Honourable Femi Gbajabiamila which looks like a tall dream. As a result of these, the two dominant parties are already scheming to outdo each another. While the APC is leaving no stone unturned to avoid the June 9, 2015 experience, the PDP is strategizing to hit the APC for the second time. The outcome of the elections will definitely shape the legislative-executive relations in the 9<sup>th</sup> Assembly.

### **How can the Ninth National Assembly right the wrong?**

This paper is of the view that the twenty years' experience of legislative politics and governance in Nigeria is enough for the National Assembly to get it right and set its feet on the right path to reclaim its lost glory especially in the aspect of reversing the negative perception of the institution by the public. The need to reposition the institution is non-negotiable as a result of its indispensability and centrality to the democratic project. The country cannot afford to toil with the hard earned democracy and all stakeholders especially the legislature must do all it takes to protect the country's democracy from been truncated. The National Assembly made up of people's representatives is expected to lead the campaign to foster national integration and entrench good governance in the wake of the series of challenges bedeviling the country which range from socio-economic, political and security concerns.

The 9<sup>th</sup> National Assembly must begin on a fresh and good note by channeling its efforts on legislative activities that will better the lots of the people. In doing this, there is need for the institution to set a clear agenda capable of driving its vision. This paper becomes handy in this regard as this section highlights ten (10) issues which the 9<sup>th</sup> National Assembly should focus on should it desire to right the wrongs of the previous Assemblies.

**i. Free, Fair and Credible Election of Presiding Officers**

The first point of call of the 9<sup>th</sup> National Assembly should be to conduct free, fair and credible elections to appoint the presiding officers. The election should deviate from the previous ones that were characterized with drama, tension and desperation especially as witnessed during the 4<sup>th</sup> and 8<sup>th</sup> Assemblies. This paper opines that each of the two chambers should get itself together and possibly reach consensus on who should emerge. The essence of this is to avoid election that will pitch members against each other right from the first sitting. Despite the fact that election provides opportunities for participatory democracy, the danger is that it creates division. The 9<sup>th</sup> National Assembly cannot afford to begin its journey with a divided house as this may spell doom for the institution that aims to pick its pieces together after turbulent a four-year tenure. Since the legislature is an assemblage of representatives that transcend party affiliations, it should not be difficult to reach a consensus in a way that both major parties (APC and PDP) will shift ground to accommodate each other's interests. Whoever emerges as the presiding officer must run an inclusive Assembly where a member will not become an alien in the chamber. The view of the majority should count while that of the minority must also be heard and considered.

**ii. Opening up of Actual Salaries and Allowances**

The secrecy that surrounds the actual salaries and allowances of the legislators is the major factor that is soiling the image of the National Assembly. The management of the 9<sup>th</sup> Assembly will be doing the institution a lot of goods if the actual remuneration of the legislators is made public. In addition, the management should also justify why the lawmakers earn such amount by giving realistic explanation on the expenditure and other itineraries of the lawmakers, the total of which make up the amount. This will put to rest the series of agitations, allegations and guesstimates on the salaries and allowances of the lawmakers. It will also not be out of place for the National Assembly to commission a further research on comparative analysis of the remuneration of lawmakers across countries sharing similar characteristics such as economic status, plurality and developmental indexes, among others; as done by the National Institute of Legislative and Democratic Studies (NILDS) in 2015. Furthermore, the National Assembly should consider taking a step further on the effort of the 8<sup>th</sup> Assembly by publishing the breakdown details of the annual budgets of the National Assembly. All these should make the financial transactions of the legislature open to the public and prove that the institution has nothing to hide.

**iii. Fostering Legislative-Constituency Relations through Viable Constituency Projects**

The most popular observation which average Nigerians have made on their representatives is the wide allegation of disconnection between the legislators and their constituencies. Most legislators are fond of staying away from their constituencies. This is largely attributed to the high demands of the constituents

which most legislators could not afford (Akinderu-Fatai, 2016). It is also attributed to misconception of the role of the legislators by the people who expect them to provide infrastructural facilities such as building of schools, reconstruction of roads and drainage, and provision of electricity, among others (Solomon, 2016). As a result, most legislators prefer to reduce their contact times and visitations to their constituency offices. There is also the allegation of misappropriation and diversion of constituency project fund by lawmakers which inhibits their frequency at home. The 9<sup>th</sup> National Assembly should look towards sanitizing the process of constituency projects by prohibiting all forms of sharp practices that can pervert the execution and delivery of constituency projects. Any lawmaker whose constituency project is well executed and delivered will have cause and confidence to visit his/her constituency frequently, even if he fails to satisfy all personal needs and requests of the people as the projects will portray him/her positively and improve the legislative-constituency relations and by extension, projects the National Assembly positively in terms of image and perception.

#### **iv. Overhauling the Budget Process**

As mentioned earlier, the National Assembly is perceived to be notorious in perverting budget making process. The exact power of the National Assembly in the budget process is still a subject of controversy. It is not clear whether the legislature has the power to delete projects and the corresponding costs made by the executive in the Appropriation Bill and insert new ones without recourse to the executive. While the legislature claims to possess such power, many people are of the opinion that the institution is only empowered to vet the executive proposals and ask for clarifications during budget defense. The act of substituting projects without the knowledge and agreement of the executive is responsible for the allegation of budget padding that has been leveled against the legislature. It may not be out of place for the National Assembly to test these conflicting claims in the law court. The 9<sup>th</sup> National Assembly could consider approaching the Supreme Court to interpret and clarify the exact powers and roles of the legislature in the budget making process. This will put an end to the continuous accusations of budget padding. In addition, the National Assembly is also accused of deliberately delaying the passage of the Appropriation Bills which takes 4-5 months thereby eating into the new fiscal years. In view of this, it will not be out of place for the management of the 9<sup>th</sup> National Assembly to consider returning the country's budget cycle to January-December. The budget of the penultimate year should be passed before December 31 of the preceding year. There is need for cooperative and collaborative efforts with the executive to encourage the President present the Appropriation Bill in record time around July-September for ample time for diligent and meticulous scrutiny as requested by Yakubu Dogara (Opejobi, 2019). There is hope that this could be achieved as President Buhari has pledged to engage with the 9<sup>th</sup> National Assembly for a cooperative effort at smoothening the budget process (Ehikioya, 2019). Therefore, the legislature should key into this opportunity to overhaul the budget making process and make it more transparent, efficient and effective.

#### **v. Cordial Legislative-Executive Relations**

The success story of the 8<sup>th</sup> National Assembly could have been better appreciated had the legislature avoided the conflicting, confrontational and defiance relations with the executive. Despite the crises that rocked the 8<sup>th</sup> Assembly, it passed more Bills than previous Assemblies. Unfortunately, the cold relationship with the executive placed the National Assembly at the receiving end of the blame given the sympathy and cultic followership which the President enjoys from the people. This makes the public to care less about the various achievements of the National Assembly. In view of this, there is need for the 9<sup>th</sup> National Assembly to stand on the same page with the executive. Efforts should be made to trigger a cordial relationship between the two arms of government at the level of ‘maintenance’. This relationship is described as a situation where the two arms of government enjoy high degree of autonomy without undue interference in one another activities (Aremu, Bakare & Abayomi, 2017). In order to make this possible, there is need for frequent interactions between the legislature and the executive through the Presidential Advisers on National Assembly to reduce the gap between the two arms. This will also enable the National Assembly to have prior knowledge of executive disposition/position on issues under discussion and factors to consider in line with mutual inclusiveness (without undermining the independence) of the arms and institutions of government. It should be noted that the Senate President (Saraki) earlier requested for this, when he urged the executive to lobby the National Assembly on policy issues (Usman, 2017). Unfortunately, Saraki was quoted out of context to mean that he was requesting that President Buhari bribe them before passing the 2018 budget. However, carrying the executive along and giving consideration to its policy direction will urge the executive to implement the motions and resolutions of the legislature that are hitherto not binding under the force of law. This will also reduce the tendency by the executive to refuse to sign passed Bills into laws thereby increasing the output of the legislature and entrench good governance in the country.

#### **vi. Legislating more on Social Welfare Bills**

Legislations in Nigeria are classified into five categories. These are: *Economic Development Acts* incorporating all economic management and developmental related laws, *Social Development Acts* depicting all laws seeking to improve the wellbeing of the people in the areas of health, education, welfare, community development etc., *Governance/Political Development Acts* that relate to entrenching good governance and good political practices, *Regulatory Acts* relating to establishment and regulation of institutions, and *Cultural Acts* covering all laws relating to cultural development (NILS, 2013). A close look at the performance of the National Assembly shows that the legislature gives priority to economic Act. For instance, between 1999 and 2011, the National Assembly enacted 183 Acts out of which 64 were economic Acts and 32, 4, 41 and 42 were social, cultural, political and regulatory Acts respectively. While this is commendable given the significance of the economic sector to development, it runs contrary to consensus of the participants at the United Nations World Summit on Social Development in Copenhagen in 1995. At the summit, Heads of State and

Government recognized the fact that social development and human well-being are more significant to sustainable development and should be given the highest priority in national and international policies. The outcome of the summit which is the 'Copenhagen Declaration on Social Development and Program of Action' established a new consensus to place people at the centre of concerns by eradicating poverty, promote full and productive employment, and foster social integration to achieve stable, safe and just societies for all (Fahrudin, 2005). Since the focus of social development laws is to lift people out of poverty and make life meaningful to them, it becomes expedient for the 9<sup>th</sup> National Assembly to give more attention to this category of Bills. This position is anchored on the fact that high rates of poverty and unemployment in the country are mainly responsible for the developmental and security challenges that plague the country. This paper is of the view that if the National Assembly can devote much time to legislate on social welfare Bills, much of the problems facing the country will abate as the living conditions of Nigerians will improve and they will be empowered to participate in economic, social and political activities.

#### **vii. Cooperate with the Presidency in the Fight against Corruption**

President Buhari is enjoying the sympathy and support of majority of Nigerians due to his perceived integrity and stance against corruption. However, the reverse is the case with the National Assembly as a result of the perception that the institution is a den of corruption and that the legislators are out to frustrate the anti-corruption efforts of the President. Several instances point to this fact. These include the failure to pass the special anti-corruption court Bill and the refusal to confirm Ibrahim Magu as the substantive Chairman of the EFCC on two occasions of the President's nominations, among others. The 9<sup>th</sup> National Assembly as a matter of necessity should retrace the legislature stance on anti-corruption fight and key into the crusade since it is the trending issue in the country.

#### **viii. Making Floor voting to Reflect the wishes of Constituency**

Many people are of the opinion that the legislative behaviour of most legislators do not reflect that of the people they are representing. The legislators are alleged to be taking stands that did not reflect the yearnings and aspirations of their constituents especially during debate and floor voting on national issues. This is majorly attributed to the disconnection between the legislators and their constituents. Under normal circumstances, the legislators ought to engage in regular meetings with their constituencies where they will collate, articulate and harmonize the interests of the constituents and come up with the policy needs and positions that will guide their floor voting and debate. It will do the 9<sup>th</sup> National Assembly a good if the management can mandate and institutionalize regular meetings to foster legislative-constituency relations. A day could be set aside at regular interval for all legislators to retire to their constituencies to meet and deliberate for the purpose of carrying the people along in legislative activities.

**ix. Publicizing the Working of the National Assembly**

One of the major reasons why many people share the argument that the Nigerian legislators are heavily paid for doing little is the fact that they do not know how the legislature operates. People have based their perception on misconception of the role of the legislature to the extent that very few understand that much of the work of the legislature is done at Committee level, thus the outcry about absence of legislators at plenary. Since most Nigerians do not have access to the National Assembly to observe legislative activities, there is need for the management of the 9<sup>th</sup> National Assembly to key into the opportunities provided by social media by providing and regularly updating a technological Bill progression method/chart on the National Assembly website and other social media platforms like Twitter, Facebook, Youtube, and WhatsApp, among others, to make its activities open to the public. Live broadcast of plenary, Committee sittings, public hearings and other legislative activities should be aired and opportunities should be given to the public to send in their inputs (as feedback) through the website. This will reduce the cost of public participation in legislative activities as there will not be need to travel to Abuja before participating. This will also enable people to monitor the effectiveness level of their legislators and prompt the lawmakers to perform effectively. While one notes the efforts of the NTA Parliament and other television and radio broadcasts are appreciated in apprising the public about legislative activities, more needs to be done in this regard especially on the website in terms of live streaming of legislative activities because most of the television and radio broadcasts are recorded reports.

**x. Rebranding the Image of the National Assembly**

It is of necessity for the 9<sup>th</sup> National Assembly to engage in programmes that will rebrand the image of the legislature. The image problem of the institution is high to the extent that if nothing is urgently done, all other efforts will seem more or less of a waste. This paper opines that the National Assembly should consider massive and continuous public re-orientation of the power, roles and functions of the institution. Many Nigerians are unaware of the starting and end point of the power bestowed on the National Assembly by the constitution. Perhaps, this is the reason why people perceive its members to be engaging in excessive politicking and needless confrontation with the executive during lawmaking and oversight functions. Image rebranding will also reduce the high expectations of the people on their legislators to provide infrastructural facilities which are exclusive functions of the executive. In doing this, the individual behaviours of the legislators must also be conditioned to meet the honorable status of their positions. Legislators must be able to conduct themselves in and outside the legislature in a manner that will not bring disrepute to the exalted institution.

**Conclusion**

The paper concludes that despite the positive contributions which the National Assembly has brought to Nigeria's democratic experience since 1999, the perceived negative input outweighs its positive, thus the institution is believed to have

failed Nigerians. The paper noted that the 9<sup>th</sup> National Assembly cannot afford to fail as there is much hope and expectations on the institution to correct the areas where the previous Assemblies, especially the 8<sup>th</sup> National Assembly erred. In view of this, having identified the concerns and issues that seem to have damaged the image of the National Assembly since 1999, this paper highlighted some key issues which the 9<sup>th</sup> National Assembly is expected to prioritize in order to succeed. The paper encouraged the Assembly to sustain the tradition of setting an agenda at the commencement of the Assembly but thrive to make it a collective and an institutional decision making process, rather than a one-man show or a responsibility of a few where only the presiding officers dictate the legislative agenda during their inaugural speeches. It is the expectation of this paper that if the National Assembly considers these issues, the institution will not only go a long way in engendering good governance but also redeem its damaged image and put the institution in its rightful place in Nigeria's democratic journey.

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## **Carrots and Sticks Approaches as Panacea to Global Security: The North Korea Experience**

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### **Abstract**

*In recent time, there have been myriads of threats to regional and global security on different fronts. The case of North Korea and its nuclear proliferation is trending and germane to this study. Nuclear proliferation frequently has been analyzed in terms of the motivations and constraints states face in developing nuclear weapons. Less frequently discussed are the tools that have developed over the years to persuade states not to proliferate. In today's international environment, when nuclear nonproliferation has become a top foreign policy priority among the comity of nations, it is important to evaluate the past successes and failures of these persuasive tools; commonly referred to as carrots and sticks to maximize their effectiveness in the present and in the future. This paper therefore investigated carrots and sticks approaches as panacea to global security: the North Korea experience. Evidences were drawn from relevant literatures and content analysis was employed. The following recommendations were proffered: that all the major actors in the North Korea crisis should go back to the drawing board to reappraise the events culminating in the current North Korea nuclearization programme; there is need for the present US government to properly identify the dynamics of the carrots and sticks approaches as panacea to global security relying on relevant case studies; the US and its allies should synergize in evolving a unified action plan that will identify the weak points of North Korea and use same as bases for negotiation. More so, the present US government needs to desist from war of words and threats against North Korea and emulate the approach of the Clinton administration in handling the North Korea crisis to avoid being branded a 'paper tiger' and finally, there is need also for China and Russia to take a definite stand over the Korea crisis in the efforts to ensure stability in the region and also preserve global security.*

**Keywords:** Carrots, Sticks, Incentives, Sanctions, Panacea, Global Security, Nuclearization, North Korea.

### **Introduction**

When the government of North Korea announced to the world its intention to withdraw from the nuclear Non-Proliferation Treaty in March 1993, political leaders in Washington faced a grim prospect. A nuclear-armed North Korea, which the truculence of Pyongyang seemed to suggest, would pose a grave threat to international security. If North Korea were to acquire the bomb, South Korea and Japan could not long resist the pressure to follow suit, and a Pandora's Box would be

opened allowing the spread of nuclear weapons throughout Asia and beyond. Something had to be done to contain the nuclear threat, but what?

The policy options available in the North Korean crisis were limited. Negotiations were attempted with the reclusive regime in Pyongyang, but initial discussions proved fruitless and frustrating as demands from Washington seemed only to harden North Korean intransigence. Some Americans urged the use of armed force, arguing for air strikes to destroy North Korea's nuclear industry, but others cautioned that military strikes could plunge the peninsula into a paroxysm of war and destruction even more deadly than that of forty years before. The UN Security Council debated whether to impose economic sanctions, but this option proved problematic as well, in large part because China and Japan, North Korea's largest trading partners, were reluctant to support such measures. Skeptics also asked what good it would do to sanction a country that was already one of the most isolated on earth.

With the tools of diplomacy, military force, and economic coercion largely unavailable, Washington turned to the use of incentives. In cooperation with Japan and South Korea, the United States crafted a set of economic and diplomatic incentives that eventually persuaded North Korea to abandon its apparent nuclear ambitions. In the Agreed Framework of October 1994, the United States and its partners offered to provide North Korea with fuel oil, new less-proliferation-prone nuclear reactors, and the beginnings of diplomatic recognition. In exchange, Pyongyang agreed to accept international inspections and controls on its nuclear program. As Scott Snyder (1996) recounts, the use of incentives proved successful in helping to defuse a dangerous international crisis.

Incentives strategies have been used in other recent international disputes as well. In the Dayton peace accords, European nations and the United States pledged substantial economic assistance to encourage the warring parties to live up to the terms of the agreement and begin the long process of reconstruction and reconciliation. Ukraine was persuaded to give up the nuclear weapons on its soil in exchange for economic assistance, improved diplomatic relations, and security assurances from Russia and the West. In the Baltic republics and Germany, economic aid in the form of housing construction for Russian army officers helped speed the withdrawal of the Red Army and cleared away some of the last vestiges of the cold war in Eastern Europe. In El Salvador, the United States offered economic incentives both to the Salvadoran government and the guerilla forces of the Farabundo Marti National Liberation Front (FMLN) to facilitate peace negotiations and assure implementation of the resulting agreement.

These and other examples demonstrate the relevance and increasing importance of incentives strategies in the prevention of international conflict. Most of the examples reviewed here are successes, but there have also been cases where incentives proved to be ineffective. Some are examined in wards. The costs of incentives policies have also stirred debate. In an era of budget constraint, why should the United States or other countries spend hundreds of millions of dollars for financial

assistance in Bosnia, the former Soviet Union, or other world trouble spots when there are no assurances of success?

Perhaps the greatest concern about incentives strategies is that they may inadvertently become a form of appeasement. This is the issue of “moral hazard” which in itself is topic of research concern in itself. Making offers to aggressors can be interpreted as a sign of weakness or vacillation and may embolden an outlaw regime to further acts of belligerence. Critics warn that conciliatory gestures can be a form of perverse incentive that encourages future wrongdoing. Since Munich, the term appeasement has acquired an extremely negative connotation, and partly as a result, scholars and policymakers have tended to de-emphasize the use of incentive strategies. The concern for avoiding appeasement is legitimate and necessary, but it should not blind us to the many ways in which incentives can contribute constructively to conflict prevention.

The case studies illustrate other complexities in the use of incentives. In the North Korea case, critics charged that the Agreed Framework contained no assurances against future violations. They criticized aid for North Korea as a reward for wrongdoing that would encourage other states to engage in similar transgressions in the hope of obtaining like rewards.

This study examines these and other aspects of the use of incentives and coercion as panacea in global security and international conflict resolution. The studies contained here emerge from the evaluation of incentives and other tools of international policy. When decision makers are faced with crises of war and deadly conflict, how do they determine the proper military, economic or diplomatic policy responses? When coercive measures are either unavailable or too risky, as in the North Korea case, what are the alternatives? When are incentives strategies appropriate and how should they be implemented? Examining the cases of failure as well as of success is important for understanding when incentives are appropriate and when they are not.

### **Problematic**

In the midst of global commitment at nuclear limitation and non proliferation, Pyongyang’s nuclear tests in recent times and prevailing threats against the United States and its allies warrant urgent attention and a degree of discipline that has been apparently lacking in both the Trump and Kim Jung-un administrations. Prior to his inauguration, President-elect Trump had declared that he would not allow Pyongyang to develop nuclear weapons and missile delivery systems capable of threatening America. Now North Korea is doing just that. This threat is not just against the US alone but also its allies and the world in general. This paper poses as well as attempts to provide answers to a number of questions. What events culminated in the North Korea experience at nuclear programme and how does it threaten global security? What options are available to the United States as a principal actor in responding to this threat? What is the efficacy of the carrots and sticks approaches in resolving the crisis?

### **Historical Background of North Korea's Nuclear Programme**

The North Korea nuclear programme can be traced back to about 1962, when North Korea committed itself to what it called "all-fortressization", which was the beginning of the hyper-militarized North Korea of today (Pike, 2010). In 1963, North Korea asked the Soviet Union for help in developing nuclear weapons, but was refused. The Soviet Union agreed to help North Korea develop a peaceful nuclear energy programme, including the training of nuclear scientists. Later, China, after its nuclear tests, similarly rejected North Korean requests for help with developing nuclear weapons (Jae-Bong, 2009).

Soviet engineers took part in the construction of the Yongbyon Nuclear Scientific Research Center (James and Alexandre (2000) and began construction of an IRT-2000 research reactor in 1963, which became operational in 1965 and was upgraded to 8 MW in 1974. In 1979 North Korea indigenously began to build in Yongbyon a second research reactor, an ore processing plant and a fuel rod fabrication plant (IAEA, 1996).

North Korea's nuclear weapons me dates back to the 1980s. Focusing on practical uses of nuclear energy and the completion of a nuclear weapon development system, North Korea began to operate facilities for uranium fabrication and conversion, and conducted high-explosive detonation tests (Pike, 2010). In 1985 North Korea ratified the NPT but did not include the required safeguards agreement with the IAEA until 1992 (IAEA Fact Sheet, 2003). In early 1993, while verifying North Korea's initial declaration, the IAEA concluded that there was strong evidence this declaration was incomplete. When North Korea refused the requested special inspection, the IAEA reported its noncompliance to the UN Security Council. In 1993, North Korea announced its withdrawal from the NPT, but suspended that withdrawal before it took effect (IAEA Fact Sheet, 2003).

Under the 1994 Agreed Framework, the U.S. government agreed to facilitate the supply of two light water reactors to North Korea in exchange for North Korean disarmament (**Arms Control** Association, Fact Sheet (2003). Such reactors are considered "more proliferation-resistant than North Korea's graphite-moderated reactors", but not "proliferation proof" (Washington Post, 2011). Implementation of the Agreed Framework foundered, and in 2002 the Agreed Framework fell apart, with each side blaming the other for its failure. By 2002, Pakistan had admitted that North Korea had gained access to Pakistan's nuclear technology in the late 1990s (Washington Post, 2011).

Based on evidence from Pakistan, Libya, and multiple confessions from North Korea itself, the United States accused North Korea of noncompliance and halted oil shipments; North Korea later claimed its public confession of guilt had been deliberately misconstrued. By the end of 2002, the Agreed Framework was officially abandoned.

Pyongyang again in 2003 announced its withdrawal from the Nuclear Proliferation Treaty (IAEA Fact Sheet, 2003). In 2005, it admitted to having nuclear weapons but vowed to close the nuclear programme (Fox News, 2005; Traynor, Watts and Borger (2005).

On October 9, 2006, North Korea announced it had successfully conducted its first nuclear test. Consequently, an underground nuclear explosion was detected, its yield was estimated as less than a kiloton, and some radioactive output was detected (Burns and Gearan, 2006; Bloomberg, 2006). On January 6, 2007, the North Korean government further confirmed that it had nuclear weapons (The Pyongyang Times, 2007).

On March 17, 2007, North Korea told delegates at international nuclear talks that it was preparing to shut down its main nuclear facility. The agreement was reached following a series of six-party talks, involving North Korea, South Korea, China, Russia, Japan, and the United States begun in 2003. According to the agreement, a list of its nuclear programmes would be submitted and the nuclear facility would be disabled in exchange for fuel aid and normalization talks with the United States and Japan (Newsmax, 2007). This was delayed from April due to a dispute with the United States over Banco Delta Asia, but on July 14, International Atomic Energy Agency inspectors confirmed the shutdown of North Korea's Yongbyon nuclear reactor and consequently North Korea began to receive aid (BBC News, July 16, 2007). This agreement fell apart in 2009, following a North Korean satellite launch.

In April 2009, reports surfaced that North Korea has become a "fully fledged nuclear power", an opinion shared by International Atomic Energy Agency (IAEA) Director General Mohamed ElBaradei (Richard, 2009). On May 25, 2009, North Korea conducted a second nuclear test, resulting in an explosion estimated to be between 2 and 7 kilotons. The 2009 test, like the 2006 test, is believed to have occurred at Mantapsan, Kilju County, in the north-eastern part of North Korea. This was found by an earthquake occurring at the test site (NPSGlobal Foundation, 2009).

In February 2012, Pyongyang further announced that it would suspend uranium enrichment at the Yongbyon Nuclear Scientific Research Center and not conduct any further tests of nuclear weapons while productive negotiations involving the United States continue. This agreement included a moratorium on long-range missiles tests. Additionally, North Korea agreed to allow IAEA inspectors to monitor operations at Yongbyon. The United States reaffirmed that it had no hostile intent toward the DPRK and was prepared to improve bilateral relationships, and agreed to ship humanitarian food aid to North Korea (Steven and Choe Sang-Hun, 2012; Korean Central News Agency, 2012; U.S. Department of State, 2012). The United States called the move "important, if limited", but said it would proceed cautiously and that talks would resume only after North Korea made steps toward fulfilling its promise (Steven and Choe Sang-Hun, 2012). However, after Pyongyang conducted a long-range missile test in April 2012, the United States decided not to proceed with the food aid (Reuters, 2012).

On February 11, 2013, the U.S. Geological Survey (2013) detected a magnitude 5.1 seismic disturbance, reported to be a third underground nuclear test (CNN, 2013). North Korea has officially reported it as a successful nuclear test with a lighter warhead that delivers more force than before, but has not revealed the exact yield. Multiple South Korean sources estimate the yield at 6–9 kilotons (Choi He-suk,

2013), while the German Federal Institute for Geosciences and Natural Resources (2013) estimates the yield at 40 kilotons. However, the German estimate has since been revised to a yield equivalent of 14 kt when they published their estimations in January 2016.

On January 6, 2016 in Korea, the United States Geological Survey detected a magnitude 5.1 seismic disturbance, reported to be a fourth underground nuclear test. Pyongyang claimed that this test involved a hydrogen bomb. This claim has not been verified (Russia Today, 2016). A "hydrogen bomb" could mean one of several degrees of weapon, ranging from enhanced fission devices to true thermonuclear weapons.

Within hours, many nations and organizations had condemned the test (Channel News Asia, 2016). Expert U.S. analysts do not believe that a hydrogen bomb was detonated. Seismic data collected so far suggests a 6–9 kiloton yield and that magnitude is not consistent with the power that would be generated by a hydrogen bomb explosion. "What we're speculating is they tried to do a boosted nuclear device, which is an atomic bomb that has a little bit of hydrogen, an isotope in it called tritium," said Joseph Cirincione, president of the global security firm Ploughshares Fund (Windrem, 2016).

Furthermore, on February 7, 2016, roughly a month after the alleged hydrogen bomb test, North Korea claimed to have put a satellite into orbit around the Earth. Japanese Prime Minister Shinzō Abe had warned the North to not launch the rocket, and if it did and the rocket violated Japanese territory, it would be shot down. Nevertheless, North Korea launched the rocket anyway, claiming the satellite was purely intended for peaceful, scientific purposes. Several nations, including the United States, Japan, and South Korea, have criticized the launch, and despite Pyongyang's claims that the rocket was for peaceful purposes, it has been heavily criticized as an attempt to perform an Intercontinental Ballistic Missile ICBM test under the guise of a peaceful satellite launch. China also criticized the launch, however urged "the relevant parties" to "refrain from taking actions that may further escalate tensions on the Korean peninsula" (BBC News, 2016).

A fifth nuclear test occurred on September 9, 2016. This test yield is considered the highest among all five tests thus far, surpassing its previous record in 2013. The South Korean government said that the yield was about 10 kt (BBC News, 2016) despite other sources suggesting a 20 to 30 kt yield (Reuters, 2016). The same German source which has made estimation of all North Korea's previous nuclear tests suggested an estimation of a 25 kiloton yield (BGRS, 2016).

Other nations and the United Nations have responded to North Korea's ongoing missile and nuclear development with a variety of sanctions; on March 2, 2016, the UN Security Council voted to impose additional sanctions against Pyongyang (Richard, Holly & Ralph, 2016).

More so, in 2017, Pyongyang's provocations continued when it test-launched two ICBMs, the second of which had sufficient range to reach the continental United States (Zachary and Barbara, 2017). In September 2017 the country announced a



further "perfect" hydrogen bomb test. The same uncertainty as to the type of weapon tested applies, as it did to the 2016 test.

### **The Dynamics of Carrots (incentives) and Sticks (sanctions) Approaches**

Much has been written about the use of incentives and economic sanctions in international relations, but surprisingly little attention has been devoted to the role of positive incentives in shaping the political relations among nations (David and George, 1995). The uses of incentives are so commonplace in the conduct of international affairs that they scarcely seem to deserve separate analysis. Incentives seem inseparable from the art of diplomacy. Analysts refer frequently to "carrots and sticks" as tools of international policy, but most of their attention is devoted to the latter. The use of military, economic, and diplomatic coercion is widely studied (Alexander, 1993). The role of carrots—political and economic inducements for cooperation—is often a neglected stepchild (Martin, 1988). This section attempts to redress this relative neglect and attempts to blend the often beneficial characteristics of incentives strategies into the dynamics of approaches for prevention of international conflict.

The definition of what constitutes an incentive is subject to varying interpretations. Most authors agree that the inducement process involves the offer of a reward by a sender in exchange for a particular action or response by a recipient (Doxey, 1996; Alexander et al, 1971; Garry et al, 1990). An incentive is defined as the granting of a political or economic benefit in exchange for a specified policy adjustment by the recipient nation. Often the incentive offered is directly related to the desired policy outcome, as when the World Bank assisted demilitarization in Uganda and Mozambique by providing financial support for demobilized combatants. It is also possible and sometimes necessary to conceive of incentives in a more unconditional manner, without the requirement for strict reciprocity. This is what Alexander and Richards (1974) called the "pure" form of incentives where there is little or no explicit conditionality. A sender may offer benefits in the hope of developing or strengthening long-term cooperation, without insisting upon an immediate policy response. In some circumstances, such as the Council of Europe's negotiations with Estonia, the principal incentive may be the simple fact of membership itself, and the accompanying hope that a seat at the table may lead to other more concrete benefits in the future. At a minimum, incentives policies seek to make cooperation and conciliation more attractive than aggression and hostility. The goal is to achieve a degree of policy coordination in which, according to Robert Keohane (1984), nations "adjust their behaviour to the actual or anticipated preferences of others".

In applying the carrots approach, *inducement* and *incentive* are sometimes used interchangeably, but there are subtle differences between the two terms. Inducement has a more holistic and inclusive connotation and can encompass not only economic measures but also security assurances and offers of political association. Inducement is also a more directive term. It can be made into a verb and implies leading or moving one to action by persuasion or influence. The connotation

suggests overcoming indifference or opposition by offering persuasive advantages that bring about a desired decision. Incentive, defined as a stimulus or encouragement to action, has many of these same connotations. In practical terms the differences between the two words are minor, and it is not necessary to distinguish rigidly between them. Incentive is the more common term and is used most frequently in this paper to refer to carrots approach.

In his classic study, *Economic Statecraft*, Baldwin (1985) offered the following examples of what he termed “positive sanctions”:

- granting most-favored-nation status
- tariff reductions
- direct purchases
- subsidies to exports or imports
- providing export or import licenses
- foreign aid
- guaranteeing investments
- encouraging capital imports or exports
- favorable taxation
- promises of the above.

Other examples that could be added to Baldwin’s list include:

- granting access to advanced technology
- offering diplomatic and political support
- military cooperation
- environmental and social cooperation
- cultural exchanges
- support for citizen diplomacy
- debt relief
- security assurances
- granting membership in international organizations or security alliances
- lifting negative sanctions.

Many studies, such as William Long’s (1996) *Economic Incentives and Bilateral Cooperation*, focus on economic instruments such as trade policy or financial assistance. Much of the discussion of incentives policy and many of the cases examined here emphasize the primacy of economic incentives. Policymakers often juggle a range of policy tools, however, and it is important to consider all of the options—political and military as well as economic—that may be a part of an incentives strategy. Our approach in this paper is adopting a more holistic definition and examining a range of cases in which many different incentives methods are applied to realize the targeted objectives.

### **Comparing Incentives and Sanctions as Tools of International Diplomacy**

Carrots and sticks are spoken of separately, but in fact they are closely related. Ending a negative sanction may be considered a positive incentive, while removing an incentive can be a sanction. In many cases the primary form of incentive is the removal of a sanction. In economic theory, incentives and sanctions are often interchangeable. An incentive is a positive sanction, a sanction, a negative incentive.

Each is designed to influence the recipient and bring about a desired change of behaviour.

Carrots and sticks are often combined, as several case studies amply illustrate. Incentives can be offered to increase the attractiveness of the preferred course of action, while sanctions may be threatened if the objectionable behaviour is not halted. Coercive diplomacy often requires offers, in addition to threats, to achieve success (Alexander et al., 1971). According to Baldwin (1971), the use of negative sanctions can lay the groundwork for the subsequent application of positive incentives. A mix of carrots and sticks is present in almost every attempt to influence the affairs of other nations.

While sanctions and incentives have much in common, there are also significant differences between the two. For the sender state, the perceived financial impact of sanctions and incentives may vary considerably. In narrow accounting terms, a sanction is not a cost. When countries impose an embargo on an offending state, this does not show up as a line item in the national budget. As a result, some policymakers naively consider economic sanctions to be a kind of “foreign policy on the cheap” (Kimberly, 1993). In reality, sanctions can impose significant costs on private companies, local communities, and even national governments. Since these losses seldom appear as state expenditures, however, they are easy to overlook or ignore. By contrast, foreign assistance, loan guarantees, and other forms of economic incentives are usually listed as specific budgetary allocations, which can make them easy targets of budget cutters.

Trade and technology incentives impose fewer costs on governments. Partly as a result they are becoming a preferred tool of economic statecraft. While incentives do not require budget allocations, they have financial implications. U.S. budget legislation mandates that reductions in revenue from any source, including the lowering of tariffs, must be offset by tax increases or compensating budget reductions (Kimberly, 1993). Trade incentives increase the overall level of commerce, however, and usually result in increased government revenues. Commercial incentives also open up new opportunities for commerce that can benefit domestic constituencies (William, 1996). Where sanctions impose costs on particular industries and communities, trade incentives can bring benefits to these groups. As a result, domestic constituencies in the sender state may gain a stake in maintaining trade preferences and provide political support for sustaining the incentives policy. Incentives also create economic benefits in the recipient nation and can generate similar supportive pressures there as well.

In contrast to sanctions, which cause hardships for the sender and the recipient, trade incentives bring benefits to both. They are a classic win-win proposition. Trade incentives are not without their limitations, however. With the lowering of tariffs and trade barriers through the North American Free Trade Agreement and similar arrangements, the impact of incremental trade preferences has diminished in recent years. Government policymakers have fewer commercial preference options in an era of growing free trade. There is also the problem of the apparent decline in the effectiveness of trade incentives over time. As the case of

China and North Korea seemingly illustrates, the development of powerful vested interests in the sender state can make it extremely difficult to withdraw benefits, even when the behaviour of the recipient state no longer justifies incentives. A related problem is the tendency for a recipient's expectations to rise over time, thereby diminishing the value of previous incentives. As concessions from an earlier period are taken for granted, they tend to lose their effectiveness. A similar problem exists with sanctions, which lose their impact over time as target nations adjust to external pressures.

Sanctions and incentives also have differing impacts on international trade and the prospects for economic cooperation. One of the most significant, many would say most hopeful, characteristics of the post-cold war world has been the widespread expansion of free markets and substantial increase in international commerce. Richard (1987) has spoken of "the trading state" phenomenon as a powerful antidote to war and armed conflict. Expanding trade and economic interdependence can establish a long-term foundation for peace and enhanced international cooperation, as discussed in several of our case studies. The use of economic sanctions runs counter to this trend. Economist Peter van Bergeijk (1994) has argued that the greater use of negative sanctions may threaten the expansion of trade, thereby weakening the incentive for political cooperation that comes with increasing economic interdependence.

The differences between incentives and sanctions have important implications for the conduct of political communications between sender and recipient. This is because incentives create less resentment and obstinacy in the recipient, communication is clearer and more precise, and negotiations are more likely to succeed. Punitive measures may be effective in expressing disapproval of a particular policy, but they are not conducive to constructive dialogue. Where sanctions generate communications gridlock, incentives open the door to greater interaction and understanding. In this section so far general illustrations have been made without losing the ingredients of the subject matter of the discourse. Consequently, the case of North Korea is not far fetched with respect to the application and effects of carrots and sticks approaches in global security. It is at this juncture germane that we explore the interplay of the major actors in the North Korea proliferation crisis.

### **Actors in the North Korea Nuclear Proliferations Crisis**

The major actors in northeast Asia with respect to North Korea nuclearization and global security are the five other countries—the United States, China, South Korea, Japan, and Russia—that took part in the Six-Party talks beginning in 2003 designed to denuclearize North Korea. All of them except Russia have individually and collectively begun to rethink their security interests in the wake of the barrage of North Korean tests, and in a way that offers promise of a more coherent and effective international approach that will make North Korea pay a larger price for its behaviour (Bader, 2017).

The most important regional dynamic on this issue is the interplay among South Korea, Japan, and China. China's natural default position for many years has been to blame both North Korea and the United States for the nuclear weapons problem in the peninsula, and to adjust its approach only slowly and incrementally in response to North Korean outrages. China's reasons are numerous, including fear of instability or conflict in the peninsula, a desire to ensure there is not a unified Korea allied to the United States, caution about turning its North Korean nuclear-armed neighbour into an overt enemy of China, residual party-to-party ties between Beijing and Pyongyang, and fear of a massive refugee inflow into northeast China. Over the last year and a half, Beijing has missed numerous opportunities to improve its relationship with Seoul and further isolate Pyongyang, by for example its overreaction to South Korean positive consideration of deploying an American-supplied anti-ballistic missile system (Terminal High Altitude Area Defense, or THAAD) and disrespect to successive South Korean presidents, with the result that South Korean public opinion has turned decisively against China. However, China does pay close attention to the security policies of Japan and South Korea, not wishing to see these U.S. allies strengthen their military capacities or their security alliances with the United States.

After North Korea's sixth nuclear test, the first during the Trump administration and the first reaching the explosive power characteristic of a hydrogen bomb, toughening and tightening of international sanctions seemingly was the inevitable and necessary first response. In the light of the above, a look at North Korea nuclearization and global security is an imperative.

### **North Korea Nuclearization and Global Security**

North Korea has drawn global attention unto itself following its nuclear programme. Though it may not yet be certain whether the September 3 2017 nuclear test was a hydrogen weapon. However, an estimated 50-kiloton-plus detonation enhanced the Kim Jong-un's regime's confidence in its ability to inflict major damage on the United States and its allies. Pyongyang now asserts that it possesses a nuclear deterrent against the United States, but it remains untested on a missile. Questions remain about North Korea's ability to miniaturize a nuclear warhead able to reach the United States; whether one of its warheads could survive the stress, speed, and heat of atmospheric reentry; and whether it could be targeted with reasonable accuracy. The fact of the North's rapid progress—much sooner than U.S. intelligence predicted until very recently—is sobering enough. Answers to these larger questions may not be long in coming. North Korea's recent test of a nuclear-capable Hwasong-12 intermediate-range missile over Japan was a major breakthrough to North Korea but a serious threat to global security. To avoid overflying Japan, Pyongyang had previously limited its test of intermediate- and longer-range missiles to lofted trajectories aimed at the Sea of Japan. This prevented the North from testing a more realistic combat trajectory that would have enhanced Pyongyang's confidence in the reliability of its missiles.

The August 29 Hwasong-12 launch flew successfully and unopposed over Japan (one of its potential targets) as it travelled to half its maximum operational range. Neither Japanese nor American missile-defense systems based in or near Japan attempted to intercept the missile. This could very likely embolden North Korean leader Kim Jong-un to test launch an ICBM over the same trajectory but over far greater distance. Such a test, particularly if it included the successful reentry of a test warhead, would signal that North Korea's deterrent now poses a direct threat to the U.S. homeland. Testimony earlier this week by South Korea's National Intelligence Service to the ROK National Assembly indicates that North Korea may be readying such an ICBM test, which is very troubling.

Probably the most important decision facing President Trump and his national security team concerns whether the United States can slow or otherwise impede the North Korea's quickly advancing nuclear and missile threats. Some have suggested using military means to do so. While "all options" may be on the table, the use of force against North Korea would result in the deaths of many thousands of Americans and far larger numbers of South Koreans and Japanese. Any resulting conflict could easily involve the use of nuclear weapons. For these reasons, there is no realistic military option short of an attack by North Korea on the United States or one of America's allies, or credible information that Pyongyang is readying for such an attack.

The imperative need to impede Pyongyang's missile-related development and prevent it from threatening the U.S. homeland should prompt a number of previously deferred policy decisions. This should begin by revisiting the idea of intercepting incoming North Korean missiles. Despite the technical uncertainties, this is an idea whose time has come. North Korea is on the cusp of being able to attack the United States and its allies with medium- and long-range missiles, and has already stated it is prepared to do so. Washington should therefore issue a declaratory policy that the United States will deem any future launches of North Korean missiles toward the United States, its territories, or its allies, including those flying over the territory of an American ally, as a direct threat, and will be addressed with the full range of U.S. and allied defensive capabilities.

Unlike an attack on North Korea's missile and nuclear facilities, such an action would be a legitimate and justifiable self-defense measure. While an attempted shoot-down might not succeed, it would demonstrate a determination to sustain and advance such efforts, putting the burden of risk on North Korea in challenging the United States and its allies and of escalating any potential global security crisis. The danger of failing to respond to a qualitatively different North Korean security threat outweighs any risks associated with this approach, including the unlikely possibility that Pyongyang might resort to war.

### **In Search of Possible Solution to North Korea Crisis: Carrots or Sticks**

In the submission of Ryan and O'Hanlon (2017) the world faces a conundrum on North Korea policy. Simply threatening pre-emptive military strikes or upping the pressure on Pyongyang over its nuclear and long-range missile programs,

in the hope that Kim Jong-un will ultimately trade away his nuclear weapons for relief from sanctions, will not work if North Korea sees its nuclear weapons as central to its security and consolidation of its dynastic hold on power. That appears to be the case today. Complete denuclearization of North Korea remains a worthy goal, but it should not be a principal near-term demand.

Rather, the goal of U.S.—as well as South Korean, Chinese, Japanese, and Russian—policy, should be a verifiable freeze on the testing of nuclear weapons and long-range missiles by North Korea, as well as a freeze on the production of plutonium and highly enriched uranium that can be used in nuclear bombs. North Korea has shown some openness to the testing idea in return for a freeze on large-scale U.S.-South Korea military exercises. However, American interests require a freeze on the expansion of North Korea's nuclear arsenal, now estimated at perhaps 60 warheads in size, as well. That should be a minimum demand, and would need to be made as verifiable as the Iran nuclear deal, officially called the Joint Comprehensive Plan of Action of 2015.

Thanks to North Korea, the first major foreign policy crisis of the Trump administration is upon us. North Korea's two tests of an intercontinental ballistic missile (ICBM) capable of reaching the United States; its launch of a nuclear-capable missile over Japan; and now its test of a far more powerful nuclear weapon has unnerved U.S. alliance partners; jarred Washington as few events have in recent memory; and raised regional tensions to new heights. Perhaps most important, the North's actions have provoked an impatient American president unpracticed in the arts of international strategy and diplomacy, and who often seems oblivious to the possible consequences of his words on the actions of others.

This paper however, in its search for viable resolution concurs with Snyder (2016) of the United States Institute of Peace in his in-depth analysis of the North Korean nuclear crisis. Beginning with the initial response of the Bush administration and continuing through the sometimes erratic but ultimately successful efforts of the Clinton administration, Snyder traced the diplomatic history of the crisis and highlighted the role of incentives in the bargaining process with Pyongyang. As noted earlier, coercive measures could be sensibly threatened but never to be employed, and Washington had to rely almost entirely on incentives to persuade North Korea to accept limitations and external controls on its nuclear programme. The Agreed Framework plan, which authorized international inspections of North Korea's nuclear installations, in exchange for specified economic and diplomatic commitments from the United States, Japan, and South Korea needs to be revisited. As Snyder noted, the Agreed Framework was structured in a strictly conditional manner, with the delivery of each incentive tied to specific policy concessions from Pyongyang.

### **Conclusion**

This paper examined carrots and sticks approaches as panacea to global security: the North Korea experience. Carrots and sticks in this context was applied figuratively implying incentives and sanctions or force. Effort was made to trace the evolution of North Korea nuclearization as well as the dynamics of incentives and

sanction in preservation of global security. The USA was identified as a major actor in the effort to limit North Korea's nuclear programme; a position that put the two countries at war of words. Most scholars argued for a greater commitment by the United States and other major powers to the use of carrots (incentives) in the form of foreign assistance, especially development aid, as an important tool of international policy. Available evidences in literature also support the superiority of incentives strategies over coercive policies in the conduct of international relations. This paper therefore submits that the process of exerting influence through offers is far more conducive to international peace than the process of exerting influence through threats. While incentives are not appropriate in every setting, and may be counterproductive if employed in the face of armed conflict and overt military aggression as in the case of North Korea, they have many advantages over punitive approaches. History is therefore replete with examples of the power of positive reciprocation. Conciliatory gestures often lead to cooperative responses, while threats usually generate hostility and defiance. Applying these lessons to diplomacy with recourse to North Korea experience, using carrots (incentives) more often than sticks (threats of force and sanctions), offers hope for a peaceful Korea peninsula, the entire South east Asia and transforming the international system and creating a more cooperative and peaceful world order. In conclusion, it must be stated categorically at this point that there are no quick fixes for the North Korean crisis; and attempts at rushed solutions and grand bargains risk unintended consequences.

### **Recommendations**

The following recommendations are apt:

- All the major actors in the North Korea crisis should go back to the drawing board to reappraise the events culminating in the current North Korea nuclearization programme;
- There is need for the present US government to properly identify the dynamics of the carrots and sticks approaches as panacea to global security relying on relevant case studies;
- The US and its allies should synergize in evolving a unified action plan that will identify the weak points of North Korea and use same as bases for negotiation.
- The present US government needs to desist from war of words and threats against North Korea and emulate the approach of the Clinton administration in handling the North Korea crisis to avoid been branded a 'paper tiger'.
- There is need also for China and Russia to take a definite stand over the Korea crisis in the efforts to ensure stability in the region and also preserve global security.



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## **Complicity of the Nigerian State in Organized Crimes: A Critique of Security Governance**

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### **Abstract**

*Nigeria, like other countries around the world, is faced with myriads of security challenges occasioned majorly by the activities of Boko Haram, Fulani herdsmen and armed banditry. Addressing these challenges has given impetus for change of method through security reforms. These reforms encourage broadening of the security sector and adoption of proactive and accountable soft approach to security management. However, despite the laudable provisions in some of these initiatives; including the national counter-terrorism strategy (NACTEST), Nigeria's security governance still thrives on reactionary approach. This has allegedly resulted in the complicity of the state in the organized crimes of Boko Haram, Fulani herdsmen and armed banditry across Nigeria. This article makes a case for the soft approach to security governance to evolve more local contents through creation of state or community police.*

**Keywords:** security governance, complicity of security, organized crime, Boko Haram, Fulani herdsmen, security management

### **Introduction**

For nearly a decade, Nigeria has been battling with the problems of Boko Haram insurgency in the North East and herdsmen invasion of communities majorly in the Middle Belt. Added to these crimes are: armed banditry in the North West, rival cult activities in the South West; militancy, oil bunkering, kidnapping and separatist agitations in the South-South and South East. Apart from the era of Nigerian Civil War (1967-70), the country has never been in such a difficult and perilous situation like the one it finds itself in the last few years where violence and insecurity have pervaded all segments of the society (Abdu, 2013). For instance, Nigeria has lost over 20,000 lives and properties worth over US\$9 billion to Boko Haram terrorism since 2009 (Global Terrorism Index (GTI), 2017). The activities of this insurgent group have also resulted in the displacement of more than 2.1 million people across the North East while leaving behind 52,311 children as orphans (Shettima, 2017). In the same vein, over 2500 lives and properties valued at over N8 billion were lost to herdsmen invasion of communities across the country, particularly in the Middle Belt between 2012 and 2017 alone (International Crisis Group, 2017; GTI, 2017). The situation in the North West also remains precarious given the activities of armed bandits which have resulted in the death of over 2,250 persons since 2015 (Adegoroye & Salisu, 2018). Other newspaper reports show that the activities of rival cult groups have reached a worrisome stage across the country particularly in the South West (The Sun, 2016; Anazia, 2017; Faboade, 2018). Recent

estimate equally reveals that Nigeria records over 3,000 conflict-related deaths per year since 2006 (Nigeria Stability and Reconciliation Programme, 2017). Added to the age-long militancy and separatist agitations in the South-South and South East, Nigeria is indeed at a security cross-road. This worrisome security situation is not only getting overwhelming for the peaceful coexistence of Nigerians, but that the state security forces are increasingly being overstretched.

Although the security situation in Nigeria is quite perilous, the response of the state has remained consistently reactionary and bereft of accountability (Abdu, 2013). Thus, maintenance of law and order in Nigeria has been by the use of force or repressive means to crackdown on violence and dissenting voices. This results in wanton destruction of lives and property, massive abuse of rights of citizens and gradual erosion of democratic values. The increasing spate of terrorism and violent extremism has given impetus for security sector reforms. These reforms encourage soft, proactive, accountable and inclusive approach to security governance. The idea is for security management to be subjected to the same democratic principles that underpin good governance (Geneva Centre for the Democratic Control of Armed Force, 2015). Since the passage of the United Nations Resolution 60/288 of 8 September 2006 which established the United Nations Global Counter-Terrorism Strategy (UN GCTS), emphases on managing asymmetric conflicts have hinged on soft approach, accountability and inclusiveness. These are the underlining ingredients of contemporary security governance. Pillar 1 of the UN Strategy recognizes the major drivers of terrorism and violent extremism to include protracted conflicts; inhuman treatment of victims of terrorist attacks; human rights violation; discrimination; marginalization and poor governance. Central to security governance, therefore, is inclusion of all segments of the society in the management of national security to ensure that the process is democratized and that state actors cease from being the only referent objects in security discourse.

It is in line with this development that the Nigerian government articulated its first-ever National Counter-Terrorism Strategy (NACTEST) in 2014. This strategy was designed to provide a holistic framework for leveraging all elements of national power in dealing with threats of terrorism and violent extremism through soft, proactive and inclusive approach. Vital to NACTEST is the direct involvement of all Ministries, Departments and Agencies (MDA), as well as civil society organizations, religious leaders and traditional institutions in security management. Essentially, the increasing spate of organized crimes all over Nigeria has continued to draw attention to the widening gap in the security governance and the attendant failure of the conventional strategy and tactics in responding to the insecurity situation. It was therefore a huge gamut of hope when, in 2014, the Nigerian state introduced new measures founded on soft, proactive and inclusive approach to security management in the form of NACTEST. However, despite the laudable provisions in this document, Nigeria's approach to security management is still reactionary and bereft of democratic ethos. Although several studies have examined the implication of this approach to security management in the contemporary times, literature that critiques security governance by revealing the complicity of the Nigerian state in organized

crimes is still lacking. This paper, therefore, draws a conclusion that the Nigerian state is complicit in Boko Haram activities and Fulani herdsmen invasion of communities.

The paper is divided into five sections beginning with this introduction. The next section theorizes the complicity of security with the aim of understanding the framework that guided the study. The third section examines the dynamic complexity of security governance and the fourth section critiques it by x-raying the complicity of the Nigerian state in terrorism and other related insurgencies. The last section contains the conclusion and recommendations.

### **Complicity of security thesis**

The concept of complicity owes its origin and multiple incarnations to international law and the writings of McPhail (1991), Stewart (2014), Aksenova (2016), Mellema (2016), among others. Complicity theory, originally referred to as 'a theory of negative difference' (see McPhail, 1991, p. 1), provides the lens for critical consideration of difference or identity that highlights the ways in which agents are implicated in social and symbolic systems of oppression and domination of a people, or commission of an act. At the realm of security, complicity theory explains how the adaptive impulses of power and privilege limit the transformative potential of security management (McPhail, 1991).

In international criminal law, the doctrine of complicity apportions individual criminal responsibility in the face of collective violence, which depends on a division of roles and tasks among multiple actors (Schaackand & Whiting, 2017). In the same vein, a complicity theory may ensure conviction in situations in which a prosecutor could not prove that the defendant possessed the criminal intent (*mens rea*) connected with the crime committed, but can prove that the defendant intentionally rendered assistance to another perpetrator who possessed the requisite *mens rea* (Schaackand & Whiting, 2017). The term complicity is therefore employed to ascribe responsibility to individuals or states that contribute to breaches of laws at the hands of criminal elements. Complicity theory relates criminal responsibility to those who are involved with but do not physically perpetrate a crime (Aksenova, 2016). Thus, complicity goes to the heart of legal quest for balance between the contributions of the accused and the collective nature of an offence. The principle prods into the link between the direct perpetrator of a violent act and the person who sanctions the atrocity. An actor is complicit in a crime if that actor solicits, encourages, assists or attempts to assist in planning or committing the crime, or has legal duty to prevent that crime but fails to properly make an effort to prevent it (LaFave & Scott, 1972). Complicity has to do with aiding, abetting and instigating a crime while pretending to be innocent.

In the context of this study, the Nigerian state is implicated in organized crimes primarily because it has the duty to prevent Boko Haram activities, herdsmen invasion of communities, armed banditry and many others but it has failed in these regards. Thus, there is an increasing bloodshed with no proactive approach to stop the continued loss of lives and property by the Nigerian state even when genuine

intelligence reports were made available to the security agencies. In the realm of international criminal law, although omission to act when necessary may not be enough to ascribe liability to a criminal offence, it is a substantial contribution (otherwise a complicity) especially when the omission was the making of somebody in position of authority that has all the legal rights to act but chose not to. Meanwhile, Schaackand and Whiting (2017) noted that, culpable omission, which could be described as a complicity in crime, requires that:

- the accused must have had a duty to act mandated by a rule of criminal law;
- the accused must have had the ability to act;
- the accused failed to act intending the criminally sanctioned consequences or with awareness and consent that the consequences would occur; and
- the failure to act resulted in the commission of the crime.

This is primarily the basis upon which the Nigerian state complicity in Boko Haram activities and other related insurgencies are analyzed. The next section examines the dynamic complexity of security governance that makes state actors, particularly the security agencies complicit in organized crimes.

### **Dynamic complexity of security governance**

One of the greatest desired commodities in security market in recent times is *protection* and the current most endearing legal tender for buying the commodity is found in security governance, which presupposes good governance in security sector administration. As already observed, the concept of security governance has become so complex such that the whims and caprices of scholars and practitioners blur a common universal interpretation. Whereas many scholars have been critical of security sector reform (Ghimire, 2016), security governance has received little of such appraisal. The dynamic complexity of security governance can be approached from three main dimensions. First, the definitional blurriness; second, the operational ambiguity with its attendant overlapping confusion and third, the universalization approach to security governance without having to consider the indigenous methods that are peculiar to individual states particularly, those found in the global south.

Firstly, security governance means different things to different scholars, practitioners and other critical stakeholders such as the international development actors – UNDP, DFID, USAID, DCAF, SSI, *etcetera*. To some, it is a tool for enhancing security and clearing the environment for development to take place (OSCE, 1994; Ball & Fayemi, n.d.; UNDP, 2002; Winkler, 2004; DCAF, 2015; Megan and Erwin, 2014). As Ball and Fayemi (n.d., p. 1) argued, ‘the inability of African security organizations to provide a safe and secure environment for political and economic development arises to a large degree out of poor governance – both of the state in general and of the security sector in particular.’ Others see it as a process for ensuring economic and political stability in post-conflict states (OSCE. 1994; UNDP, 2002; Hanggi 2003; Abdu, 2013). Yet, the third group argues that it is a mechanism and precondition for assessing global aid from donor agencies. Thus, it could become an avenue for sinking donor agencies deep into the security

programmes of the host state(s) (Hoffman & Vlassenroot, 2016; Saxer, 2008; Ghimire, 2016). This particular dimension reinvents the patron-client relationships in security sector and presents donors as saviours and the recipient as a wreck (Cooper and Pugh, 2002). This last group often advocates for the democratization of the administration of security sector (Cooper & Pugh, 2002; Ball & Fayemi, n.d.; UNDP, 2002; Ball, 2004; Schroeder & Chappuis, 2014). Such democratization is what many scholars normatively refer to as good security governance (Schroeder, 2010; DCAF, 2015). Arising from these strands, it becomes difficult to explain what security governance means. It can only be explained from the bias of the analysts, scholars, practitioners, and international development agencies. Currently, any definition of security governance that does not take into consideration the democratization of the administration of the security sector is seen to be coming from autocratic states. This is not minding that the security of a nation is often shrouded in secrecy and democratization of its administration could result in compromising safety, especially in less developed countries. Essentially, the definitional blurriness has also affected both the internal and external workings of security governance. This accounts for the operational ambiguity that is often witnessed in the provision of security.

Secondly, the operational ambiguity inherent in security governance is as a result of an enlarged security sector that now spans the core referent objects. As Ehrhart *et al* (2014, p. 119) argued, 'the resulting variety of actors, mechanisms, and issues in security governance extends well beyond traditional, state-centered and military-focused security policy'. This is the new complexity that the concept aims to capture. With an enlarged security sector, it is increasingly becoming difficult to explain whether security governance applies to all the referent objects, or whether some are more critical than the others. If they are, what should be the parameter for measuring which referent object(s) will yield more results and how can that object be administered democratically to achieve maximum result? This ambiguity tends to subsume every administration of the security sector to be security governance. Against the backdrop of operational ambiguity, security governance can be seen as a way of democratizing and commercializing security programmes and opening up the sector for the entrance of non-state actors. This is akin to what Hoffman and Vlassenroot (2016) called 'multi-layered security governance.' In multi-layered security governance, inclusion of local non-state actors in security administration is believed to improve security provision to people because they have more legitimacy (Hoffman & Vlassenroot, 2016). But in reality 'multi-layered' security governance is often marked by conflict and competition as much as by collaboration and common solutions to people's security problems. A case in point in Nigeria is an incident that took place in Abuja on 14 March 2018, where the Abuja Environmental Protection Board (AEPB) Task Force Team (made up of the Police, the Army and the Civil Defence) got themselves into a fisticuff that lasted for over 2 hours with officials from the Federal Road Safety Corps (FRSC) over implementation of court order (*Premium Times*, 14 March, 2018). This kind of scenario creates animosity among the security agencies and undermines harmony in rendering effective defence.



Thirdly, universalization approach to security governance without having to consider the indigenous methods that are peculiar to less developed countries contributes in making the concept quite complicated. These indigenous methods include the duplication of function through the proliferation of several security institutions in Nigeria such as the police, Civil Defence, Department of Security Services (DSS), State Security Services (SSS), among many others. Most times, these institutions are confronted with functions that give rise to overlapping confusion. Universalization of security governance has created a process through which external actors significantly intrude into the security administration of a state; thereby increasing its complexity. According to Ghimire (2016), external actors are indifferent to internal political dynamics and work with uncoordinated missions and competing roles that affect security governance negatively. Wulf (2004) and Ghimire (2016) further argued that the need for security governance, like its reform, may be dissimilar in different contexts; particularly in failed states, societies undergoing conflict mediation, countries experiencing transformation, societies in transition to peace and post-conflict societies. These dynamisms are not put into consideration when looking at the universal application of security governance and its advocacy for inclusiveness through democratization.

The critical question still remains, how does security governance implicate the Nigerian state in organized crimes? The next section therefore critiques security governance by x-raying the complicity of the Nigerian state in Boko Haram activities and other related insurgencies, including the herdsmen invasion of farmlands and communities.

### **A critique of security governance in Nigeria**

In Nigeria, security governance has passed through three different epochs: the time of colonial era, military period and era of constitutional democracy. Each of these epochs has shown similarity in operational structure, politics and control (Abdu, 2013). Security governance during the colonial and military phases was more of regime protection than public safety. As a result, the concern of the leaders was the elimination of real or perceived enemies of their administration. During colonialism, for instance, the colonial masters did not hide their penchant for eliminating local chiefs who proved intransigent to their forced style of governance; thus resulting in the banishment and death of such leaders as the King Jaja of Opobo, Nana of Itsekiri, Attahiru XII of Sokoto Caliphate and many others. At the time of military rule, protection of the regime in power continued through the elimination or incarceration of perceived enemies of the state. Prominent among which are the killing of Dele Giwa of *Newswatch* Magazine in October 1986, Ken Saro-Wiwa and others in the ill-fated Ogoni 9 saga in 1995 and Dr Shola Omoshola the American trained aviation security expert and then head of security at the Lagos International Airport in 1996. Omoshola was having constant running battle with military personnel who claimed to be acting on the order of President Sani Abacha and were flouting aviation security rules by wanting to fly in and out of the Lagos airport unhindered. Other victims include Kudirat Abiola and MKO Abiola in 1996 and 1998, respectively. On return to

democracy in 1999, the struggle for regime protection continued with the killing of Chief Bola Ige on 23 December 2001 and incarceration of many other freedom fighters including Asari Dokubo and Ralph Uwazuruike the founders of the Movement for the Emancipation of the Niger-Delta (MEND) and Movement for the Actualization of the Sovereign State of Biafra (MASSOB), respectively in 2005.

However, security governance started reflecting more democratic ethos in theory beginning from 2006 when the defence policy was initiated by the Federal Government of Nigeria (FGN). The thrust of the 2006 National Defence Policy (NDP) in Nigeria was to enhance military professionalism and ensure civilian control of the armed forces (FGN, 2006). Traditionally, security governance in Nigeria, whether during colonial, military or the current democratic dispensation, has no relationship with the people, except in a manner that guarantees suppression of dissent and protection of the regime against forces, individuals and groups that are considered hostile to the government in power or their surrogates (Abdu, 2013). For instance, while the number of police officers policing Nigeria is grossly inadequate (with just 370, 000 for a population of 170 million), politicians and other influential members of the Nigerian society whom Okiro (2018) referred to as ‘Very Important Persons’ (VIPs) and who constitute less than 20% of the population appropriate 150,000 (about 40.5%) of the available police officers; thereby leaving the larger part of the population with just 220,000 (59.5%) (Leadership Newspaper, 15 February 2018). Other manifestations of regime protection through suppression of individuals considered hostile to the state in recent times are the arrest and extra-judicial killing of Mohammed Yusuf (the founder of Boko Haram sect) and his father-in-law Alhaji Baa Fugu Mohammed by the Nigerian police in 2009, arrest and detention of Nnamdi Kanu the founder and leader of Indigenous People of Biafra (IPOB) and other members of his group in 2015 and the arrest and continued detention of Sheik Ibrahim Zakzaky the leader of Shiite Muslims in Nigeria in 2015 by the Nigerian military despite various court verdicts.

It is this act of suppression that has triggered more rebellious groups that target the soft side of the population – the civilian – as their primary attack constituency. The failure of government to protect the people against such attacks has resulted in alternative arrangement that leaves the individuals providing their own security in the forms of local vigilante, CJTF or where hunters organize themselves into community police. This is akin to what Branovic and Chojnaki (2011, p. 553) called ‘the logic of security market’. The logic of security market assumes that ‘security can be provided without the state, or even its most rudimentary structures, and that the governance approach can, in turn, be usefully applied precisely to the processes of partially institutionalized macro-networks of strategic security that obtain in such cases’ (Branovic & Chojnaki (2011, p. 554). The failure of the Nigerian state to protect its citizens in the face of persistent attacks by armed groups and the continued suppression of dissenting voices logically implicate it in terrorism. Through terrorist activities of the Boko Haram and Fulani herdsmen, therefore, the story further lays bare the logic of Nigerian state complicity in terrorism.

### ***Complicity of the Nigerian state in terrorism***

Despite various policy instruments initiated by the FGN to curb the act of terrorism, the Nigerian state is increasingly challenged by asymmetric conflicts. For instance, there are currently more violent groups operating in Nigeria with impunity than they were in the recent past. The activities of such groups like the Boko Haram, Fulani militia (popularly referred to as herdsmen), kidnapers, armed bandits, Niger-Delta militants and many others across the 36 states of the federation have become quite unprecedented and worrisome.

The Nigerian government has keyed into a security reform that thrives on soft, proactive and inclusive approach to security governance through NACTEST. NACTEST has five main pillars code-named **FSIPI** which stands for **forestall, secure, identify, prepare** and **implement** (FGN, 2014). The idea of FSIPI is to forestall terrorist attacks by addressing all the conditions that incubate terrorism, secure individuals against the attacks, identify areas that encourage terrorist attacks, prepare both the people and security agencies to confront terrorist attacks and to implement all counter-terrorism measures through an inclusive approach involving all the MDAs and other non-governmental organizations. However, while NACTEST theoretically points towards the direction of the global standard for counter-terrorism, what the Nigerian state delivers on ground is not only antithetical to the theoretical assumptions of the document but also thrives on a method that is largely exclusionary, reactionary and diversionary. For instance, various intelligence reports before the federal government concerning Boko Haram activities and herdsmen invasion of communities by some state governors and members of the local community were not acted upon by the federal government which controls the security agencies, including the core referent objects. Some of these reports included those offered by the Benue State Governor, Samuel Ortom and Taraba State Governor, Darius Ishaku, which probably would have forestalled the killing of over 73 and 50 indigenes of Benue and Taraba States, respectively between December 2017 and January 2018 (Vanguard, 8 January 2018; Punch, 27 January 2018). Even when these governors enacted anti-open grazing laws to curtail unregulated movement of cattle, federal law enforcement chiefs as well as the Minister of Defence condemned such act (SBM Intelligence, 2018). Coupled with the absence of constitutionally sanctioned state or community police, implementation of such laws becomes even more difficult. This prompts the alternative security arrangement by community leaders and state governors through vigilantism. In the same vein, Zamfara State Governor, Abdulaziz Yari, also alleged that his administration gave security agencies 24 hours intelligence report that bandits were grouping and ready to attack Zurmi before it happened, but they failed to mobilize their personnel adequately to confront the bandits, which resulted in the death of over 39 people; mostly travelers and villagers (The Sun, 17 February 2018). According to the Emir of Zurmi, Alhaji Atiku Abubakar, if not for the bravery of over 500 vigilante groups, who confronted the over 600 bandits that invaded his emirate, the casualty figures would have been much higher. Not only does this suggest the failure of state security formation, but it also shows the complicity of the security agencies. Thus, no result-

oriented security agencies would take intelligence reports especially from governors lightly if they were not complicit in the impending atrocity.

Numerous other intelligence reports from members of the local communities, including those in the hotbed of Boko Haram infestation were also treated perfunctorily by the security agencies. For example, before the kidnap of over 200 Chibok school girls in Borno State on 14 April 2014, it was reported that all the schools within Chibok area (including the Government Secondary School, Chibok) had been closed for over four weeks due to deteriorating security situation (Perkins, 2014). However, students were called back to take their final exams in physics and the questions remain: who sanctioned the re-opening of the school when others were still closed? Was the secondary school the only one writing physics; what about others? Could the exam not have been taken elsewhere with more security guarantee? These questions remain unanswered. Sensing a complicity of security agencies and government officials in the entire Chibok school girls abduction saga, then President Goodluck Jonathan and his wife summoned the security chiefs, Borno State Governor, Kashim Shettima, and the Commissioner of Police (CP), the Commissioner for Education, the Divisional Police Officer of Chibok, the Chairman of Chibok Local Government Area, wife of the village Head, the school's principal, the gate man on duty on that fateful date, among others to ascertain the circumstances surrounding the suspicious abduction (Wakili & Idris, 2014). After the incident which generated international outcry, the principal of the Government Secondary School, Chibok was later made a commissioner by the Governor of Borno state. This is enough ground to conclude that government officials in collaboration with some security agencies were complicit in the Chibok girls abduction saga. This is because those who were supposed to act failed to do so.

More worrisome was the withdrawal of military personnel stationed at Dapchi few days before the abduction of over 105 school girls of Government College, Dapchi, Yobe State. Although the military had tried to exonerate itself from any complicity that might arise from the redeployment of troops of *Operation Lafiya Dole* from Dapchi to Kanama few days before the saga (Olufowobi et al, 2018), the result that trailed the abduction makes the whole situation look more suspicious. For instance, Nigeria swapped some notorious Boko Haram kingpins in prison in return for the release of the abducted Dapchi school girls. A case in point is the release of Hussaini Maitangaran, who spearheaded several deadly attacks in Kano, including Central Mosque attack, which killed more than 1,000 people and who was arrested by the DSS on 31 August 2017 (Mcgregor, 2018). The questions yet to be answered are: who authorized the withdrawal of the security agents stationed at Dapchi hours before the abduction? What happened to all the security check-points within the areas from where the trucks that loaded the girls escaped? Who provided the military camouflage uniform that the insurgents wore during the attacks? Providing answers to these questions will help us to pin down on the real culprit of the abduction saga. Regrettably, the answers are not forthcoming.

Meanwhile, in January 2017, a military fighter jet bombed Rann Internally Displaced Persons (IDP) camp killing over 200 persons in the coordinated attack

(Sahara Reporters, 17 January 2017). Rann is a remote village in Borno State housing over 35,000 persons displaced by the Boko Haram insurgency in Nigeria (United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 2017). Statement issued by the Chief of Air Staff, Air Marshal Sadique Abubakar, after the costly mistake showed that it was due to “communication gap somewhere” (Aluko, 2017). No known punishment was extended to those whose responsibility it was to ensure smooth communication between and among the operational forces. Instead, information from the military headquarters after its panel of inquiry in July 2017 put the report more mildly by blaming the bombing on fatal error that resulted from ‘lack of appropriate marking’ (Ibrahim, 2017).

This situation has created suspicion, accusation and counter-accusation between the people and the security agencies on complicity in criminal activities. SBM Intelligence (2017, p. online), for instance, observed that:

Many residents (within the Boko Haram hotbed) reported multiple situations where despite reports of insurgent activity, the military response was anything but urgent and effective, the Chibok Girls kidnap frequently mentioned as a prime example. This distrust was mutual, as the security agents accused some of the residents of providing support and intelligence on troop movements to the terrorists, pointing to instances of well targeted ambush operations by Boko Haram.

Indeed, federal government’s reactionary approach or sometimes inaction to intelligence reports increases the perceived complicity of the state actors in organized crimes in Nigeria. For this reason, many state governments have resorted to the activation of non-state armed groups such as the local vigilante, hunters or CJTF in place of the inadequacies of core security personnel (Daily Post 22 June 2017; Human Rights Watch, 2002). Reliable reports also show that there is an increasing distrust of core security agencies by the people in the provision of security in Nigeria (NSRP, 2017; Buchanan-Clarke & Lekalake, 2016). Thus, prompting many prominent Nigerians such as Gen. T.Y. Danjuma (rtd), Prof. Itse Sagay (SAN) and the Emir of Kano, Sanusi Lamido to call on Nigerians to defend themselves against violent extremists and other criminal elements. This points to lack of trust on, and failure of, government security agencies in their constitutional responsibilities. Conceivably too, many communities have gone ahead to establish militia groups that could offer them protection in times of need. This increases not only the lethality of the youths to radicalization, but also their vulnerability to being exploited for more extremist adventures.

In a related development, the federal government has failed to proscribe the Fulani herdsmen whose criminal activities across Nigeria have exposed the group as the fourth most deadly terrorist organizations around the world (Global Terrorism Index, 2017). According to Armed Conflict Location & Event Data Project (ACLED) (2018), violent activities of the Fulani herdsmen have seen a sharp rise in 2018 with over 260% increase between December 2017 and January 2018. This shows that the activities of the group have reached an alarming stage. Yet, the Nigerian government

has been slow in responding to the deadly clashes whose solution requires multifaceted approach (Allison, 2018). Conceivably, the failure of the state to appropriately sanction this extremist group has emboldened herdsmen attacks across the country. This has given the Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN), which is the umbrella body of herders in Nigeria, the unfettered access to farmland and other economic reserved areas. Those who raise their objections against invasion of their farmlands by these marauders were visited by the mercenaries of these extremists without visible state response against them. The results occasioned by their invasion always end in tales of woes, tolls of death and destruction of crops, properties and other valuables. Nigerian state response to herdsmen attacks across the country is always reactionary, but proactive when it has to do with reprisal attacks against the herdsmen. Thus, the state becomes alive when citizens attempt to defend themselves against the herdsmen. For instance, despite the incessant attacks of Fulani herdsmen in Nigeria, there has not been any recorded conviction involving a herdsman. Meanwhile, there have been several convictions of those involved in either cattle rustling or reprisal attacks against the herdsmen. Most recently, a high court in Yola, Adamawa State presided over by Justice Abdul-Azeez Waziri sentenced five persons, including Alex Amos, Alheri Phaniel, Holy Boniface, Jerry Gideon and Jari Sabagi to death by hanging for carrying out a reprisal attack on herdsmen that resulted in the death of a Fulani herdsman (Godwin, 2018). Although crime should be condemned in its totality, selective justice involving only those that carry out reprisal attacks against herdsmen while leaving the herdsmen that are involved in criminal activities against the people may be a significant indicator of complicity on the part of the state.

### **Conclusion and recommendations**

The finding of this paper reveals that although the Nigerian state has recognized the importance of security governance; particularly as it affects soft, proactive and inclusive approach to security management, the country is yet to be guided by its various strategic documents. As such, we find initiatives that are largely proactive and inclusive in theory, but reactionary and exclusionary in practice. How the security sector is governed in Nigeria, therefore, makes the state complicit in Boko Haram activities, armed banditry and Fulani herdsmen invasion of communities. Thus, currently implemented, security governance opens multiple pathways to organized crimes in Nigeria. This calls for awareness creation among the citizens to sensitize them on the dangers of having a centralized police force existing side-by-side with other security outfits, including the neighbourhood watch or the vigilante like they exist in Nigeria. This awareness will give room for more agitation for the creation of state and/or community police to be controlled by the state governments and where the people own their policing department.

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## **Political Reflection on Democratic Governance and Security in Nigeria: Role of the Military Since 1999**

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### **Abstract**

*The various Nigerian constitutions and the statute books and other legal enactments in place aimed at providing backbone to governance to enhance national security and socio economic growth are still confronted with obvious challenges. The study therefore argues that, for a peaceful and decent environment to allow for harmonious coexistence and enabling climate for socio-economic and political advancement, the role of the military cannot be over-stated. The military which is a critical element of national defence alongside other security agencies have been ensuring that the territorial integrity of the nation and indeed, internal security of the nation is assured. The study unarguably establishes that, the successive administrations since 1999 have tried to ensure the stability of the nation. However, inherent internal contradictions of politics, economics, religion, ethnicity, corruption and other social ills have all combined to exert pressure on the national psyche and these have adversely impinged on the potentialities of the Nigerian state. In a critical sense, the study observes that, the nation's national security is predicated on her national interest, as well as her strategic calculations within the region and in the global arena. The study concludes that, to have an effective and result-oriented National Security, the democratic principles and norms must be well entrenched as these are the catalysts that propel growth and development, which in turn assures the wellbeing of the citizenry. It recommends that, as the armed forces however remain a vital element in the overall national security strategy, Nigeria state need a well-established political structure that can consolidate the gains of democracy.*

**Keywords:** Democracy, Consolidation, Governance, Military, Security.

### **Introduction**

The military as an organization is subject to the vicissitudes of the society just as any social institution in any country. In our examination of the factors responsible for military intervention in the politics in the third world, two main schools of thoughts have come to the fore. These are the internal characteristics and politicization models. The internal characteristic model was enunciated by Janowitz (1964) who has argued that one can explain military intervention in politics mainly by reference to the internal structure of the military, namely, the social background of the officers, skill structure and career lives, internal social cohesion, professional and political ideology within the military. In relation to this, Huntington (1968) has advanced the second school of thought. After condemning the first school of thought as baseless, he argues that a military explanation does not explain military intervention in politics, because military intervention in the developing countries is

only one specific manifestation of general politicization of social forces and institutions. Societies and institutions are highly politicized. They have political clergy, universities, bureaucracies, labour unions, corporations and of course political armed forces. All these specialized groups tend to become involved in political issues which affect their particular interests or groups as well as issues which affect society as a whole.

However, Ocran (1968) asserts that the problem leading to the overthrow of an unpopular civilian administration by the military remains after a coup d'état and cannot be solved by the waving of a political magical wand. The problems of economic scarcity are compounded by profiteering, black marketeering, corruption and hoarding, unemployment, disease and poverty, apathy to work and outright laziness, civil service hierarchy, lack of expertise and uncritical public and unstable political institutions among others. He added that these problems are more likely to be compounded by the inexperience of the military men themselves because most third world armies are comparatively young and new to the game of "politics". Thus, prolonged military rule since independence has been retarded, if not halted, Nigeria's organized political development. It has prevented the political class from growing and maturing through rugged experiences in the political arena- party membership, identification of issues and writing manifestoes, seeking for elective offices, contesting, winning and losing nominations and elections, taking part in government and in the opposition, identifying allies in the basis of tested policies and ideologies, etc. Curiously, whenever this inexperience shows itself in the form of inept performance, in any fresh experiment to return to civilian rule, the military conveniently assert that 'the politicians have learnt nothing and forgotten nothing', and conclude that the politicians are not ready to take over power responsibly (Aminu, 1999: 76).

One of the legacies of military rule in Nigeria is that, it subverted the residual foundations of Nigeria's federalism through the monopolization of political and economic power at the center. The centralization of power and resources at the center not only exacerbated patronage and clientalism/corruption in governance but it is also deepened the marginalization of sub national units thereby increasing apathy and cynicism towards the nation building project (Abubakar, 2004:160). To corroborate this, Agbaje (1999) cogently articulates this point by stating that:

Nigerian federalism was set up principally to secure Nigeria's unity in face of strong centrifugal forces through a devolution of power, responsibility and resources from the central government to the constituent units but also to assist in the drive for national and grassroots economic development. On both counts, the Nigerian experiment has become dysfunctional, largely because of the reversal of its earlier devolutionary logic for re-centralization occasioned by poor and shortsighted political leadership. Symptomatic of this pathology is the virtual jurisdictional eclipsing of the sub national levels of government by the federal and the promotion of venality to a guiding principle of statecraft.

The legacy of autocratic military rule in Nigeria especially from 1985-1998 asphyxiated civil society, deepened primordial ethnic, regional and religious cleavages and accentuated the disengagement of the citizenry from the political processes of the "irrelevant state" (Ihonvbere, 1996).

Therefore, the need for Nigeria to address issues bordering on security and its ability to continue to exist as a united entity has in recent times become more expedient than it had ever being since independence. Greater responsibilities are being placed on the security sector to put in place programs that will promote the cementing of social order, in order not to threaten the corporate existence of the Nigerian state. In fact, there is no gainsaying the fact that Nigeria now occupies a prominent place in the list the world most troubled states. Various forms of violent conflicts involving ethnic groupings, religious divides, armed robbery kidnappings, abductions, extra judicial killings have been reported both in local and international media with severe consequence on the international reputation of Nigeria and Nigerians. Recent reports have it that more than 12000 Nigerians have been killed by *Boko Haram* alone. Safety of young ones which is the responsibility of the state has been put to question by the recent abduction of over 200 young girls, students of Chibok Secondary School in north East region of the country. All these incidences have been linked to failure of state and indeed democratic governance in Nigeria.

### **Democratic Governance: A Conceptual Discourse**

Democratic governance is the science of organizing government at all levels and the process of coordinating direct mass and popular people's participation in affairs that relate to the totality of their wellbeing. Hence, the democratic way of governance, of course, involves competitions for various government positions, people's participation in choosing political leaders as well as the guaranteeing of human rights. Social and economic wellbeing of the people also constitutes part of the crucial issues of democratic governance as much as the participation of the people. Also, the nexus between human rights and democratic governance as well as the ability to provide and sustain socio-economic wellbeing of the people, support the growth and development of democratic institutions (Abbass, 2007).

Ahmed (2002), in a lecture presented at the Third Democracy Day, in Abuja said inter alia, "democratic governance refers to a political, socio-economic framework in which every individual and every community becomes an equal member of society, and is provided with a space of engagement in shaping the destiny of society..."This implies that democracy is a dynamic process that is expected to bring about the growth and evolution of a society. Democracy therefore, if fairly practiced should bring about a reduction in poverty, socioeconomic empowerment and other quantitative and qualitative indices of development of man and the society he lives in. A democracy that is meaningful to people is that which positively affects at least their social and economic wellbeing. Thus, these economic and social impacts suggest the primacy of the political objectives of the whole democratization process. However, to ensure broad participation of the people and attach legitimacy,

democratic principles and procedures as well as protection of human rights are essential ingredients for genuine and transparent democratic governance.

... the political empowerment of the poor people, of women in general, of minorities, are all more important than further strengthening of elite dominated democratic institutions. Empowerment of poor is a precondition for their actual participation in political decision-making and for giving them real opportunities for influencing their own future (Martinussen, 1996:305).

Further elaborations regarding democratic governance centered on economic and social preconditions that are indeed extended to the threshold of poverty and hunger which invariably inhibit people's effective participation towards exercising their democratic rights. It is argued that the existence of healthy and endowed people ensures the existence of healthy, genuine and sustainable democracy.

### **Assessing Democratic Governance in Nigeria Since 1999**

Despite the fact that democracy is stabilizing in Nigeria, it is yet to be reflected in all manner of development indicators-strict application of the rule of law, allowing the electorates to elect their leaders (and not democracy by arrangement), fundamental freedoms and its full enjoyment (and not its mere expression in our constitutions), reduction of unemployment and rapid industrialization. It is because development is not progressing alongside democracy in Nigeria that induced Ake (2001) to state that the gross domestic product of the whole of Africa is less than that of one of the smallest countries of Europe, which is Belgium. Democratization does not solely depend on the creation of the basic institutions of democracy but to a large extent on the creation of the right environment for the institutions to function. Igwe (2010) reiterates that democracy and development co-habit and inactivity of the former destroys the later.

Also, opinions converged that, democracy as it is currently practiced in Nigeria has produced unpalatable results. This is associated with the nature of the Nigerian state and the character of its elites. This has often times made some scholars (Toyo, 1994; Nwigwe, 2003) to see Nigeria as a non-democratic state. According to Toyo (1994), looking critically at Nigeria's situation since independence, the country had never experienced democracy. He argues that, instead of the return to civil rule, we Nigerians find ourselves discussing on how a return to democracy would be possible thus falling into presumption that a democracy had existed in Nigeria. The press, for instance, is incessantly drumming into our ears that "we are a democratic country" and bellowing that "in a democratic country like Nigeria", this or that should not happen. It thus, seems completely unaware of the cardinal fact that neither during colonial rule nor since independence has Nigeria been a democratic country. In the far years of the Balewa's and Shagari's civilian interludes, Nigeria strove to be a democracy but was never and this argument is still forceful today.

In a similar vein, Nwigwe (2003) contends that it would constitute a very difficult problem for political theorists to determine the classification of Nigeria's

type of governments. It is not a monarchy, even though there are so many monarchs in the policy making positions. It is definitely not an aristocracy, because by its very definition, aristocracy means government by the best. It is of course not democracy because at least in its modern understanding, democracy is government of the people by the people and for the people. What then is it? If we go by St. Augustine's definition, the kind of government that Nigeria could have been qualified as is "Mafia Government". The word "mafia" within the paper's context means government infested with power drunk, self-seeking, ideology-barren, orientation less operatives; usually selected by their kind and of course scarcely ever elected by the people. Even in the guise of multi-party election, those to rule are clearly predetermined and chosen even before elections takes place. This assertion is still plausible today. The reason for Toyo and Nwigwe's conclusion is not farfetched. In terms of outcome, since 1999, Nigerians have not significantly reaped the dividends of democracy. Secondly, Nigeria's democracy has been violent ridden, characterized with wanton destruction of lives and properties (Ogundiya & Baba, 2005 cited in Ogundiya 2010).

More importantly, the peoples' vote seems not to count in determining who governs as elections are rigged or its outcome determined before the poll. Therefore, procedurally, democracy in Nigeria is lamed and in terms of its conceptual outcome has failed to meet the expectations of the people. Furthermore, Nigeria's democracy (if it could be so described) has tended to promote inequality rather than equality. Toyo's (2002) comment is also instructive; there can be no genuine democracy in a country where citizens are grossly unequal in wealth and the poor who are invariably the majority, are dependent on the wealthy. Due to the fact that wealth is power, where such a cleavage and dependency exist, political power is inevitably in the hands of the wealthy. In this scenario, democracy ceases to be democracy in reality; in effect it is a plutocracy. In other words, a responsible and accountable leadership that would characterize good governance in Nigeria is obviously absent. Almost all Nigerian political elites have an insatiable capacity to steal from the commonwealth and leave the people more impoverished. Unrestrained by any real accountability to the electorate, many of those elected officials who came to power through fraudulent elections since 1999 have committed abuses against their constituents and engaged in the large-scale looting of public resources (Human Rights Watch, 2007). Therefore, there is a very wide hiatus between the rich and the poor. In agreement with the words of Ogundiya (2010), what we have in Nigeria today is democracy without social, economic and political development.

The legislative arm of government that would have provided adequate checks on abuses of power by the executive and recklessness of the opportunistic politicians is also inefficient and ineffective. Effective legislature contributes to good democratic governance. This is done by the performance of legislative oversight over the finances of government, which serves as a catalyst for the sustainability of a democratic governance. It is also important to note that the responsibilities of the legislature in a democratic society have gone beyond mere rule making and representation. They are now involved in administrative and financial matters. Legislatures are now saddled with the role of keeping close watch and control over



the executive arm of government and the control of public expenditures and taxation. In summary, a legislative house must not only be capable of making laws for the safety and general wellbeing of the people, also be able to manage funds in order to provide good life for the entire citizenry. To perform its oversight function effectively, every legislature needs power to shape the budget and means of overseeing or checking the executive power beyond the ultimate power of impeachment. A legislature that is capable of oversight function is more likely to manage the available funds to achieve the objectives of the state with minimal or no wastages, and this engenders transparency, openness, accountability which represent the tripod of good governance.

The failure of the legislature to perform this important function in Nigeria has denied the people the gains of democratic governance (Ogundiya, 2010). Rather than enhance good governance through equity in the distribution of resources, legislature in Nigeria has been preoccupied with how to amass wealth to the detriment of the people. The case of the 2009 budgetary allocation is a typical example. A breakdown of the 2009 National Budget shows that members of the National Assembly and the personnel of a part of the Presidency will be paid 47.8 billion naira as emoluments during the year. The 360 members of the House of Representatives were to receive 26.67 billion naira while the 109 Senators were to get 16.3 billion naira. When provisions for legislative aides, the National Assembly Service Commission and the National Assembly Office are factored in, the total allocation to the federal legislature stands at 61.6 billion naira. In its analysis, the editorial comment in the Nigerian Tribune of December 11, 2008 notes that “an infinitesimal percentage of the citizenry will be pocketing 2.9% of the total provision made for the recurrent expenditure of Federal Government”. Hence, the national assembly’s have failed to provide selfless, purposeful and democratic legislative leadership in Nigeria (Ogundiya, 2010).

In the aspect of policy and law making, they look up to the executive for policy recommendations and in all; they have not been able to stand as a check on the executive. This is so because Nigerian legislators are not qualitatively elected through competitive, fair and free elections. The situation in Nigeria lends credence to Ogban’s (1996) proposition that; When a few people control the governance of a polity and have the preponderance of force to continue to maintain such control, a national assembly that emerges from the dictation of such a group is likely to be more corrupt and subversive of democracy and democratization than the one that emerges from the dictates of the popular forces. Also, it is incontrovertible that the States and the National Houses of Assembly in Nigeria are products of corrupt and undemocratic procedures and processes. For instance, in the Ekiti State House of Assembly, 7 PDP lawmakers out of 26 lawmakers were reported to have sat and impeached the Speaker and his deputy (Sotubo, 2014). This is an undemocratic act and it will never lead to a democratic dispensation. Hence, it is not surprising that its activities subverts rather than promotes democracy and good governance. This is actually the dilemma of democracy in Nigeria.

Furthermore, the judicial arm, an indispensable complement to democratic governance is also lame. In the Nigerian context, it is no exaggeration that the notion

of the judiciary as *primus inter pares* is one that is yet to be fully imbibed by the political elite, irrespective of the recent popular judgment over some contested gubernatorial seats in Edo, Imo and Rivers states and the restoration of the mandate of some candidates such as Olusegun Mimiko in Ondo State, Adams Oshiomole in Edo State and Rauf Aregbesola in Osun State, the judiciary in Nigeria is to a large extent subject to the whims and caprices of the executive arm. This is so because the judiciary is not only financially dependent on the executive but has also been excessively politicized. The upshot of this state of affairs has been the corruption of the judiciary. While judiciary corruption relates to unprofessional or infamous conduct by judicial officers, it is also taken to mean attempts by extraneous bodies to undermine the judiciary either through inducement, cajoling, intimidation, or some other means (Oyebode, 1996). Undoubtedly, a financially dependent judiciary cannot enjoy full autonomy neither can it dispense justice without fear or favour.

Consequently, while the Nigerian masses might historically perceive the judiciary as ‘the last hope of the common man’, the political elite have sought to humiliate, exploit or marginalize the judiciary, almost totally oblivious of the class suicide potential of such attitudes. The situation is compounded by the country’s economic wretchedness which makes an individual susceptible to corruption. In a society bedeviled by social insecurity, political instability and economic woes, it “requires near superhuman guts to be upright and stand firm on the side of judicial integrity, independence, due process of the law and kindred virtues of democratic polity” (Oyebode, 1996). Thus, the rule of law becomes the rule of the jungle and good governance is jeopardized. Aristotle as cited in Udo (2003) maintains that, “in all well attempted governments there is nothing which should be more jealously maintained than the spirit of obedience to law”. All over the world the rule of law is inseparable from good and democratic governance, it invariably points to a government established by the will of the people; one in which there are laid down procedures for an orderly change of government and legal procedures for the settling of conflicts etc. Therefore, a free and independent judiciary is a *sine qua non* for good governance. This is currently, a mirage in Nigeria. For instance, the former President Olusegun Obasanjo can be said to be above the law when he was the president, as he refused to release the revenue allocation meant for the local government councils in Lagos State, despite the fact that the Supreme Court ruled that the act of withholding the allocation was unconstitutional. This case will be discussed in this paper under the section of democracy and the rule of law.

Another complement to democratic governance is a virile media and active civil society organizations. While the Nigerian press is considered to be one of the freest in the world, it is also observable that it is more amenable to control and manipulation by the political moneybags (Ogundiya, 2010). Thus, mass media in Nigeria is to a large extent sycophantic. A submissive and steady media cannot provide the required supportive base for good and democratic governance. Another reason for the failure of the media as the fourth estate of the realm is the unwarranted protection of the public official by the constitution or the media limited access to information. A curtailed media is nothing but a dormant media which cannot actively

protect the citizens when their rights are infringed upon. By implication, rule of law cannot be preserved by a controllable or ingratiating media. The proposed freedom of information bill (FIB) which would have guaranteed citizen's access to information and rescued the media from the problem of access to official information has been frustrated by the refusal of the executive to endorse the bill and also the lack of political will on the part of the legislature to enforce executive endorsement. This is done to subject the media to further manipulation of the political class.

However, the idea that civil society is sacrosanct to the survival of democratic governance is incontestable. In Nigeria, the civil society has been central to the democratic struggles, more especially the human right groups. Surprisingly, the civil society on the whole has become moribund or less aggressive (except few foreign human right groups) after the country re-democratized in 1999. This seriously portends ills for good and responsible democratic governance in the country. Consolidation of democracy via good governance rests primarily on a virile and agile civil society which is currently deficient in the country (Idada, et al. 2012).

### **Challenges Militating Against Democratic Governance in the Nigerian Fourth Republic**

There are multiplicity of factors militating against democratic governance in Nigeria since the inception of the fourth republic in 1999. The following would be considered more worrisome; electoral irregularities and malpractices, inter and intra ethnic rivalries, religious crises and insecurity, poverty, inadequate and weak democratic institution and institutionalized corruption.

#### **Electoral Malpractice**

One of the cardinal tenets of democratic governance is orderly change of government through credible, free, fair and periodic election. Since the inception of the fourth republic in Nigeria, change of government has been orderly and elections have been periodic. Between 1999 and 2011 three different civilian regimes have emerged and there have been three successive transitions from one civilian regime to another (Obasanjo regime, 1999-2007; Yar'Adua/Jonathan regime, 2007-2011, Jonathan regime, 2011 Buhari's regime-till date). The same has been replicated in the legislature. Since 1999, the country has successfully passed through five Legislative Houses both at the Federal and State Government level viz: 1999-2003; 2003-2007; 2007-2011, 2011-2015, 2015-2019. However, the credibility, freeness and fairness of the elections that brought about this process have been the subject of thorny debates in contemporary national discourse (Omodia, 2009:1- 2; Tinubu, 2009).

Elections in the fourth republic have been characterized by monumental irregularities and malpractices which magnitude increases with every election. The institution of the State such as the police, the military and even the electoral body, Independent National Electoral Commission collude to manipulate the electoral processes in favour of some certain candidates. According to Ogbonnaya et.al, (2012), the general elections of 2007 were rigged to favour the PDP candidates. Thus, situation where individuals have won election from prison custody as in the case of

Senator Omisore of Osun State and Governor Ahamefuna Orji of Abia State, contrary to the provision of the Electoral Act have been witnessed. In some cases, INEC has conducted elections in States where the tenure of sitting Governors were still subsisting as in the case of Governor Peter Obi against Andy Ubah of Anambra State in 2007.

According to Idada et.al (2012), one of the proofs of the loopholes in the electoral process in Nigeria is the number of elections that have been voided by the petition tribunals and Appeal Courts since democracy was re-introduced in 1999. Some of the issues that have characterized elections in Nigeria since then are: electoral violence; political intimidation; manipulation of the electoral commission and security agencies; multiple voting; hijacking of ballot boxes; vote buying; and the inability of the National Electoral body to manage logistics. The last gubernatorial election in Edo State is an example of such. Analysts are also not comfortable with political parties' development in Nigeria. Progressively, the opposition is gradually going into extinction. Whereas it made impact in 1979 and 1999 through the coalition of forces between the then All Peoples Party (APP) and Alliance for Democracy (AD), it was not so in the 2003 general election. The PDP has succeeded in clipping the wings of the opposition and many insist that it is not healthy for democracy and good governance.

In every periodic election, local and international observers have been unanimous in their reports that the election generally fall below the internationally accepted standards. For example, the general elections of 1999 that brought General Olusegun Obasanjo to power were said to have been marred by such widespread fraud that observers from the US based Carter Center concluded that "it is not possible for us to make an accurate judgment about the presidential elections" (Carter Center and National Democratic Institute, 1999). In 2003, the general elections were widely seen as a test of Nigeria's progress towards more open and accountable governance after four years of civilian rule under Obasanjo. However, the Transition Monitoring Group (TMG) described the 2003 elections thus:

While the voters waited and persevered in the polling stations to cast their votes, the political class and the political parties had different ideas. The voters wanted their votes to determine the winner of the elections, while the political class wanted to corrupt the processes and rig their way into elective office... on the whole, the result can be said to marginally reflect the choices and will of the Nigerian people (TMG 2003: cited in Adejumobi & Agbaje, 2006:39).

In the same light, Nigerian 2007 general elections were widely regarded as a crucial barometer of the federal government commitment to the notion of democratic consolidation, but according to Human Rights Watch;

The polls marked a dramatic step backwards, even when measured against the dismal standard set by the 2003 election. Electoral officials alongside the very government agencies charged with ensuring the

credibility of the polls were accused of reducing the elections to a violent and fraud ridden farce (HRW, 2007 cited in Ogbonnaya et al, 2012).

Indeed, the view “that the history of election administration in Nigeria is a history of electoral fraud and violence” is widespread (Ajayi, 2007). The 2007 general elections were rigged at the federal and state level. It was rigged to the extent that, Yar, Adua during his swearing in speech, acknowledged the fact that, the election that brought him into office was greatly rigged. Also, many governorship and senatorial candidates went to court to reclaim their mandates (Omodia, 2009). According to Idada et al. (2012), the 2007 election, arguably, is the worst in the history of the nation. Idada et al. (2012:51) stated that, during the 2007 elections, there were problems of proof of multiple thumb printing and ballot stuffing. The services of the foremost Israeli finger print expert who supervised a team of 10 other experts, who essentially cross-checked some thumb prints on the ballot papers in selected states across Nigeria discovered multiple thumb printing.

In each of the state surveyed, they discovered shocking evidence of extensive multiple thumb printing, hundreds and thousands in some locations. In some locations in Osun State, especially Ife constituencies, the expert found that over 80% of votes casted for Peoples Democratic Party (PDP) in the Gubernatorial, Senatorial and State House of Assembly elections were full of multiple thumb prints. Also scholars have observed that this poor electoral system in Nigeria breeds persistent crisis of legitimacy in governance. Omodia (2009:38) is one of such scholars, who argues thus:

In Nigeria, just like most of the countries in Africa, elections especially its freeness and fairness constitute the central factor in ensuring democratic survival. This is because the lack of free and fair elections often tends to threaten the democratic process as a result of legitimacy question. This factor, no doubt has characterized the democratic experiment of the Nigerian fourth republic in that there have been persistent crises of legitimacy in governance arising from poor electoral system.

Apart from being one of the cardinal tenets of democratic process, free, fair and credible elections are central to the consolidation and sustenance of democracy. It defines the degree of freedom exercised by the people in selecting who represent them in government. But this has not been the case in Nigeria. Even though the 2011 general elections were said to be relatively free and fair, there were still lapses in some areas as political watchers have stated that, the election was a retrogression rather than progression in the democratic process of Nigeria (Idada et al 2012). This history of problematic and controversial election administration threatens the consolidation of democracy in Nigeria.

### **Ethnic Cleavages and Security Crises**

Inter and intra ethnic rivalries, religious crisis and insecurity also constitute potent challenges to democratic governance in Nigeria. According to Duruji (2010, 92-93), the return of Nigeria to democracy in 1999 opened up the space for expression of suppressed ethnic demands bottled up by years of repressive military rule. The expression of the demands have resulted in the emergence of ethno-nationalist insurgencies such as Movement for the Emancipation of Niger Delta (MEND) in the Niger Delta region, the new demand for Biafra spearheaded by the Movement for Actualization of Sovereign State of Biafra (MASSOB) and the increasing notoriety of the Odua People's Congress (OPC) in the South West. This has also resulted in incessant ethnic clashes in the Middle Belt region and other parts of the country such as the Ijaw-Iteshekiri ethnic clashes in 2009. There have also been frequent inter religious clashes and sharia instigated riots in the Northern part of Nigeria as well as the emergence of the *Boko Haram* Islamic Jihadists with well-known preferences in religious belief and social practices (Eso, 2011).

Intra ethnic cleavages has witnessed in the horrors of Ife/Modakeke and Aguleri/Umuleri fratricidal war in the South-West and South-East regions respectively have also been the order of the day. These inter and intra ethnic rivalries and religious crises not only result in the loss of human and material resources that cannot be quantified in monetary terms which occasioned untold economic hardship, they most fundamentally breed state of anarchy that threatens the unity and corporate existence of the Nigerian state; leaving those who act on behalf of the state with magnitude of national issues to contend with. For instance, while the militancy in the Niger Delta took a heavy toll on the nation's economy because of its dependence on oil for foreign exchange earnings, the Boko Haram insurgency in the North has left as at last count over 16,000 policemen, soldiers and civilians, including politicians dead. Properties worth millions of naira destroyed (UNCIRF, 2012). This has resulted in Nigeria being considered as unsafe country for foreign direct investments.

Furthermore, given that these inter religious and socio-cultural crises occurs outside the confines of law, they challenge and weaken democrat institutional mechanisms that are meant to check them and threaten the consolidation and survival of democratic governance in Nigeria (Duruji, 2010:93).

### **Poverty**

Poverty is one challenge that constitutes great challenge to democratic governance in Nigeria. Unarguably, Nigeria is blessed with both human and material resources. This notwithstanding, the nation ranks among the world's poorest. According to UNDP (2009:27) in Nigeria, hunger exhibits its ugly face in most homes where the average citizen contends with a life of abject poverty. Thus, the common man is "alienated from himself as he lacks the wherewithal to afford the basic necessities of life such as education, medical facilities and so forth". In the opinion of Ogundiya (2010:207), Poverty has been and is still a major problem in Nigeria. The statistics is staggering despite the political clamour against poverty since 1999. Nigeria harbours one of the largest number of the poor in Africa. There is gross

inability of most Nigerians to achieve a certain minimal standard of living. Statistics have indicated that 70.8% of Nigerians live below the poverty-line of \$1 a day and up to 92.4% live below \$2 a day as at 2003 (The United Nations International Children's Fund, 2003; World Bank, 2006). This is compounded by acute youth unemployment. Various estimates put unemployment rate in the country at between 20% and 50% (Asemota, 2005). Among graduates of tertiary institution, unemployment rate is put at between 50% and 75%. This has resulted to general insecurity and high crime rate in the Nigerian society.

Expectedly, life expectancy is low compared to those of the developed nations of the world (Oluolu 2008:1; UNDP National Human Development Report for Nigeria, 2011). Drawing a comparison in the incidence of poverty between Nigeria and India, Isiah (2012:56) submitted that;

Between 1962 and 2012, India has been able to lift 400 million people out of poverty, just as democracy has also flourished in the country... in the corresponding period; however, 100 million Nigerians out of a population of 167 million have slipped into poverty. Statistically, about 10 million Nigerians are in absolute poverty, which literally means they cannot afford the basic necessities of life.

From the foregoing, it can be asserted that life generally in Nigeria is threatened by absolute and abject poverty. These realities are much more obvious in rural areas. A factual indicator is the result of the Harmonized Nigerian living standard survey published by the National Bureau of Statistics in 2011 cited in Ogbonnaya et al. (2012) showed that large proportion of Nigerians lives in an abject poverty. According to the report, the proportion of Nigerians that were extremely poor as at 2004 stood was 22.0 percent and it increased to 38.7 percent in 2010. Despite the fact that Nigerian economy is paradoxically growing, the proportion of Nigerians living in poverty is always on the increase. Undoubtedly, this has undermined and challenged the legitimacy and integrity of government and the functionality of not just the democratic process but also of the Nigerian state. For instance, scholars have argued that the recent security challenges that have been confronting the country (Niger Delta militancy and the *Boko Haram* insurgency) are caused by high level of poverty in the country (Awoyemi, 2012; Harrington, 2012). The security situation as pointed out earlier, breed state of anarchy that threatens the secularity, unity and corporate existence of the Nigerian state upon which its democratic process is anchored.

### **Weak Democratic Institution**

The weakness of democratic institutions in Nigeria is another factor militating against democratic governance in Nigeria. By democratic institutions we refer to the Executive, Judiciary, the Legislature and electoral agencies such as Independent National Electoral Commission (INEC). In principle, each of these institutions is constitutionally empowered to maintain a certain degree of independency and autonomy while functioning as checks on the other. In practice

however, the tendency of the Executive to dominate, employing all manner of advantages on its side including the control of budgetary allocations, remains a formidable reality. This dominance and over-bearing characteristics of the executive is located in the pattern and practice of dictatorship in Nigeria especially during the military era. Bankole (2009) explains that decades of military dictatorship has had the effect of eroding constitutional federalism, the erosion of the culture of rule of law, the enthronement of the culture of arbitrariness and impunity resulting in high levels of corruption. This legacy has fundamentally impacted on the power relations between the Executive and other democratic institutions. The consequence of this has been the existence of subdued judiciary, weak oversight capacity of the legislature and the dumbness of the electoral bodies both at the Federal and State levels.

Assessing the autonomy and independence of INEC and the Judiciary in the fourth republic, Omodia (2009:38) also observes that, events in this democratic dispensation have shown that the electoral body is not independent. This according to him has been defined in relations to the manner in which the electoral body has conducted elections in the way that favoured the party in power while the judiciary has “served as a tool for creating political topsy-turvy that undermined democratic process”. Duruji (2010:102) equally observes that the judiciary has been unable to sustain the democratic process in Nigeria by failing to convict anybody through the judicial processor the several cases of arson and killing that have characterized inter and intra ethnic clashes while the legislative institution have proven incapable of interfering decisively in the management of ethno religious and security crises in Nigeria.

According to Best (2001:75), the Nigerian Police is an instrument of the State for the maintenance of law and order. Yet, it has repeatedly proved to be incompetent with respect to handling both simple and major internal conflict, be they religious, ethnic, communal etc. The state has refused to punish and prosecute people under the law, for instance, the killers of Bola Ige and Funsho Williams are still enjoying their freedom till date. This weakness of the state’s institutions, impact negatively on democratic practices and also threatens the consolidation of democratic governance in Nigeria. As Makinde (2004:20) has observed, that “democracy is only possible if the structures, processes and institutions through which the people’s will is expected to be addressed accommodate their interests, values and aspirations. Constitutional democracy continues to falter not only because of the conduct of leaders but also because of inefficient, ineffective and deteriorating public institutions”.

### **Institutionalized Corruption**

That political and institutionalized corruption constitutes one of the greatest challenges and threats to democratic governance in Nigeria since the first republic as long been established as evident in Joseph (1991), among other scholarly works. Corruption is an aspect of poor governance and is defined as the abuse of public office for private gain. In Nigeria, corruption has assumed eccentric and ludicrous proportions; what Gunnar Myrdal calls “folklore of corruption” (Amuwo, 2005). What is worrisome is the magnitude and degree of its manifestation in the fourth



republic. The incidence of corruption in Nigeria reached a crescendo in 2004 when a German based international non-governmental organisation, Transparency International (TI) in its 2004 Corruption Perception Index (CPI) report, projected Nigeria as the 2nd most corrupt country in the world (132nd out of the 133 countries surveyed) (Akinyemi, 2008:22). The Transparency International's CPI is the world's most credible measure of domestic and public sector corruption. According to the index, every single public institution in Nigeria is corrupt and have failed to appreciate fully the obligation upon them to do something concrete about corruption.

In 2008, Nigeria sank deeper into the CPI ranking and has since maintained a consistent low rating. From a score of 2.7 to 2.5 in 2009 and 2.4 in 2010 which was still maintained in 2011, Nigeria has been ranked as the 3rd most corrupt country in sub-Saharan Africa and 143rd out of 183 countries surveyed around the world in 2011 (Transparency International, 2011). It is reported by transparency international that the level of corruption and other related crimes in Nigeria attract between \$4 million and \$8 million loss on daily basis and a loss of about \$70.58 to the national economy annually, and that the country has lost more than \$380 billion to graft since independence in 1960. According to the report, nepotism, bribery and patronage are so deeply engrained in the daily life of Nigerians that even existing anti-corruption laws have little or no impact. (Yishau, 2011). It has been argued that the war against corruption has been difficult to win because the act is perpetrated by policy makers themselves (Olu-Olu, 2008). A clear indicator to this fact is the US\$ 620, 000 oil subsidy bribery scandals rocking a committee of the National assembly and Federal Ministry of Petroleum Resources. This has thrown up public frustration in Nigeria.

The 2011 Transparency International's Corruption Perception Index (CPI) shows that public frustration is well founded. Corruption has become an ineradicable part of the culture in Nigeria and continues to threaten both constitutional democracy and the nation. Corruption is rampant at all levels of government, crippling basic health and education services and other social infrastructures. Good governance is an illusion in a state where corruption is endemic and persistent. When corruption is prevalent as witnessed in the last decade, instructions of governance are abused by illicit and self-serving behaviours of political leaders. The consequence – poverty is unavoidable. According to Oko (2008:60), nothing enfeebles democracy more than corruption. It distorts governance, provides perverse incentives for dysfunctional behavior, and ultimately diminishes the quality of life by diverting funds for social services into private pockets. And like the national economy of the country, democratic governance in Nigeria has not been immune to the damages of corruption. Senator Barack Obama perceptively observed during his 2006 visit to Kenya that corruption erodes the state from the inside out, sickening the justice system until there is no justice to be found, poisoning the police system until their presence becomes a source of insecurity rather than a source of security (Obama, 2006).

All state youth empowerment programmes and other employment generating policies of successive administrations like Operation Feed the Nation (OFN), Green Revolution (GR), Directorate of Food, Roads and Rural Infrastructure (DFRRI), The Peoples Bank, Better Life for Rural Women (BLP), Family Support Programme

(FSP), Peoples Bank and other poverty alleviation programmes such as National Poverty Eradication Programme (NAPEP), National Economic Empowerment and Development Strategy (NEEDS), from 1999 to date have failed to achieve their founder's vision because of gross mismanagement and rampant corruption.

### **Unaccountable Governance and Human Right Abuses**

The consequences of unaccountable governance in Nigeria have been severe. Our leaders are not accountable to the electorates, for instance, Anti-corrupt crusaders and opposition politicians have expressed outrage over the purchase of two BMW armoured vehicles for the former minister of Aviation, Stella Oduah, for N255 million by an agency under her supervision. It was reported that the cars were bought to protect her from imminent threats. According to the opposition group, it was stated that, the vehicles could have been purchased for far less the amount they were purportedly procured and it was also acclaimed that there was no threat what so ever on the minister's life, therefore, there was no need for the vehicles (Owete, 2013). This money could have been used to provide industries, assist the teeming jobless youth or repair roads that are no longer in good shape. Another case of unaccountability is the one between the former Central Bank Governor, Lamido Sanusi and the Nigerian National Petroleum Corporation (NNPC), where the Governor raised an alarm that the sum of \$20 billion in oil sales could not be accounted for by the NNPC under Diezani's watch. Despite the arguments and opinion of various people in the country, NNPC cannot still account for the money and the presidency has been silent (Kawu, 2014). These are purely undemocratic act that should not be happening in a democratic society.

Also, as documented by Human Rights Watch (HRW), human rights abuses remain pervasive in Nigeria (HRW, 2002; 2003; 2006). Injustices have become the permanent feature of the Nigeria's political system. Aristotle said that "no government can stand which is not founded upon justice" (Politics VII, 14:4). That would seem to imply that justice is the surest foundation on which to build a good and successful government (Ekei, 2003).

### **The Military and Democratic Stability in Nigeria Since 1999. A Reflection**

Observation has shown that the way towards the success of democracy is the citizens' sense of political efficacy of elections and implicit belief in their ability to effect the political change through the constitutional means or process. This aspiration was made true on 27<sup>th</sup> May 1999 when the fourth republic civilian President of Federal Republic of Nigeria, Retired Gen. Olusegun Obasanjo was sworn in as the President of Nigeria Federation. The Nigeria public welcomed the development, although with some sense of criticisms. However, what becomes the role of the military institution in this fourth republic is a major issue of concern. To what extent the military personnel were involved and subordinated to Obasanjo administration and beyond is another question? Given the background of these questions, negative responses point to some problems, while positive outcome entails progress and stability in the polity. The feelings of top military personnel have been in accordance

with what is expected of them. They have been loyal, involved, and subordinated to the democratically elected civilian administrations from the fourth republic to the present administration. One may think that their support for the Obasanjo administration from 1999-2007 could be because the elected President, retired Gen. Olusegun Obasanjo was one of them, who still gained and retained the privileges of the long tradition of *esprit-de-corp*.

In actual fact, before the 1999 elections, there was a widespread suspicion created that the last military administration of Gen. Abubakar regime and the entire military institution would prefer having a retired General for succession, than a so-called "bloody civilian." The tacit support of the Obasanjo administration by the retired Generals could not be underestimated, and that of the serving personnel in the army, better imagined. This ample support appeared to have evaporated during the Yaradua/Jonathan regime and Goodluck Jonathan/Sambo administration. For instance, one of the difficulties that President Jonathan had with fighting Boko Haram insurgency was apparently lack of *esprit-de-corp* from the Military, which led to allegations of sabotage. On the other hand, the assumption of office as the President of Federal Republic of Nigeria by retired Gen. Muhammadu Buhari in 2015 somewhat brought back the military rigor in the fight against Boko Haram, which obviously points to the loyalty of serving military commanders to their retired colleague. Most political analysts believe that the quest to crush *Boko Haram* insurgency was one of the vote catchers for President Muhammadu Buhari.

Previously, President Obasanjo had in several occasions acknowledged the military's support and loyalty to his administration (Onuora, 2000). The military institution also believes to have tacitly pledged their support for the realization of the fourth republic, through their cardinal instrument of professionalism. According to Gen Victor Malu, (Chief of Army Staff Fourth Republic) at the dawn of the swearing in ceremony and beginning of the fourth republic, "our unfortunate drifting into politics has strained military-civilian relationship. The new democratic dispensation however provides a healthy environment for the development of all citizens" (The Guardian, 2000: 19). The General believed that the army has taken its rightful place in the new era, and should be seen as the facilitators of a secure and peaceful atmosphere, which could encourage the growth of the nascent democracy. This view point of the Chief of Army Staff influenced reorganization of the Nigerian Institute of Policy and Strategic Studies (NIPSS) from military based to democratic structures. The Institute started a gradual demilitarization in line with the present democratic dispensation. As part of the demilitarization exercise, military designations had been replaced with civil appellation at the institute. Besides, some key officers of the institute are now, moderators, while syndicate is replaced with integrated research group (Punch, 2000: 5). The institutional modifications showed how serious and positive the military was towards the success of the present Nigeria's fourth republic.

Furthermore, the reality of the feelings of the military personnel during the Obasanjo administration, their disconnection during Goodluck Jonathan and a reconnection in the present Nigeria government under President Buhari may not be unconnected with the extent of the involvement of the retired generals and other army

officers in the politics of the fourth republic. Although, one is not discarding the fact that quite a number of retired Military personnel were part of Goodluck Jonathan administration. In the first place, Chief Olusegun Obasanjo created a dilute in the pressure for scramble for power between the military and civilian political groups. Secondly, he banked on the tacit support of the retired military generals in restoring democratic governance to Nigeria by appointing them in strategic portfolios in his cabinet (E.g. Defence Minister, Minister of Police Affairs etc.). This has also been repeated by President Buhari who appointed retired military Generals as Ministers (retired Gen. Danbazu of Internal Affairs as an example among others) in his current government in Nigeria.

Observation of the polity shows that the ex-military officers participated favourably in the democratic transition, and later formed substantial part of the fourth republic government (executive and legislature), except the judiciary. “The 1999 transition threw up its first ex-military officer turned quasi-civilian as the governor of Kwara State (retired Rear Admiral Mohammed Lawal). Election results of the national and state House of assemblies produced retired Generals Ike Nwachukwu, Tunde Ogbeha, David Mark, Nuhu Aliyu, Brimo Yusuf among others as legislators” (Adekanye, 1999) under various parties’ platform. This trend has continued beyond 1999 where Olagunsoye Oyinlola among others held gubernatorial positions and up to the present dispensation where several retired Generals have been elected as either national/state legislators or executive governors in the federated states. More ex-military officers are joining politics and contesting both elective and party positions. Available information (Table 1) substantiates the activities of the military in Nigeria body politics. The country has witnessed ruler ship of more head of state with military than civilian background. This points to the grooming and preparedness of military personnel in politics. From 1999 to the present, two out of four elected presidents of Federal Republic of Nigeria are from the military background, while two are civilians. More interestingly, combined, the two Presidents with military background governed for longer years than those with civilian background. This further indicates the deep rooted nature of ex-military personnel in politics, which has a very long future implication on sustainability of democracy in Nigeria.

With the involvement and investment of both financial and time resources by the retired generals in the democratization process, there is a strong assumption that this crop of individuals would obviously strive to protect and preserve the quest for democracy in Nigeria. This bothers on the fact that if for nothing else, but because of their personal interest and material investment, even though the retired Generals are accused of simply intimidating their political opponents with corrupt funds they looted from government when they were active in military service. Given this background, attempts by serving military officers in organizing coup is logically dangerous and tantamount to failure because they may not receive the financial and moral blessings of the retired Generals, who have focused their energy and resources in politics.

Besides, in terms of skills, because of the positioning of retired Generals in various democratic governments from the fourth republic 1999 and beyond, up to the

present administration under retired Gen. Buhari there is apparently more security in stabilizing and sustaining Nigeria democracy to maturation. The presence of the above recounted background in the Nigerian politics from 1999 to the present (2016) gives much credence to sustainable support the military has provided Nigeria polity. If for no other reason, when the current wave of support is harvested, secured, and sustained it would go a long way in entrenching sustainable democratic governance that could be devoid of the suspicion of military coup.

### **Summary and Conclusion**

The military is a critical sector in the promotion of democratic governance and stability in Nigeria. This paper examined the military as an institution and its role in democratic governance and stability in Nigeria since 1999. The analysis from this study attests to the fact that the military had played the role of both distractive and sustaining force in Nigeria's democratization project. This stems from the observation that the military could have allowed the fledgling democracies at various times and stages to evolve and mature, instead of staging coup d'état. Occurrences of 1966 and 1983 indicate where the military believed that they could sanitize the polity and restore democracy but later failed to deliver the goods. Contrarily, the military has presented itself and acted in some occasions as the custodian of democratic principles by initiating and implementing them. However, history proved that these democratic principles and arrangements put in place by the military are usually faulty and inadequate for a variable democratic governance to thrive on. The military has also contributed both as an institution and collective of individuals in sustaining democratic project of Nigeria since 1999 to the present. This claim has been substantiated by ample evidence of involvement and investments by retired Military Generals in democratic governance in Nigeria. Their commitment, inclusion and absorption into politics after their retirement from the armed forces and their desire to continue in the part of democratic career attest to this claim.

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## **Mediation, Military Intervention and ECOWAS' Democracy Promotion in West Africa: Insights from The Gambia**

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### **Abstract**

*Regional and sub-regional organizations have engaged in efforts directed at the promotion of peace, political stability, and the defence of constitutional order in Africa. While many of Africa's mediation and peacekeeping missions have yielded different outcomes, however, their efforts remain pivotal to political stability in the region. They are also evolving frameworks geared towards the promotion of democratic principles, processes and governance. Informed by this position, this article examines the Economic Community of West Africa States (ECOWAS) engagement with the cause of protecting democratic and constitutional order in The Gambia following the failure of President Yahya Jammeh to relinquish political power after his electoral defeat in the December 2016 polls. The paper drew insights from published newspaper articles, editorials, commentaries, journal articles, chapters in books, books and reports. It discusses the utility of the threats of military intervention and the organization's final deployment of Military Intervention in The Gambia (ECOMIG). The paper argues that ECOWAS is evolving to become a strong voice for the promotion of constitutional order and democratic processes in West Africa through the deft use of diplomatic and military instruments.*

**Keywords:** Constitutional Order, ECOMIG, ECOWAS, Democracy Promotion, the Gambia, Military Intervention.

### **Introduction**

The incidences of violent conflicts, societal dislocation inclusive of state failure and its attendant humanitarian emergencies remain a central concern in Africa (Rotberg, 2004). Informed by the destructive effects of violent conflicts, regional and sub-regional organizations in the continent have devoted enormous attention, resources and political will to the cause of promoting peace, stability, security. While many of Africa's regional and sub-regional organizations start off as platforms for advancing economic cooperation and regional development, they have had to incorporate the political objective of promoting peace, security and stability into their enabling institutional framework (Charters). Africa's regional organizations fulfil their peace objectives through the instrumentalities of mediation, deployment of ceasefire monitoring and observer missions, deployment of peacekeeping missions and engaging in post-conflict peacebuilding activities. Through these activities, regional organizations in Africa have evolved as active participants in the promotion of collective conflict management (CCM) as modality for addressing the region's conflict and security challenges (Crocker, Hampson & Aall, 2011).

At the continental level, the African Union, AU, has used the instrumentality of its Peace and Security Commission, PSC, to advance the cause of peace on the continent using mediation, ceasefire monitoring commission, peacekeeping and post-conflict peacebuilding. At the sub-regional level and specifically in West Africa, the Economic Community of West African States (ECOWAS) has been a vanguard for peace, stability and security. The ECOWAS's Protocol on Non-Aggression (1978) and its re-modification as the Protocol on Mutual Assistance (1981) serves as the institutional plank for peace and security. It was within this context, that ECOWAS, under Nigeria's leadership, deployed the ECOWAS Monitoring Group (ECOMOG) as an intervention and peacekeeping mission in Liberia on August 24<sup>th</sup>, 1990. Since then ECOWAS has deployed peacekeeping missions in Sierra Leone, Guinea, Liberia in 2003, Guinea Bissau, and Mali.

As part of ECOWAS's efforts to strengthen its institutional framework to respond to crisis and conflict, which form a major impediment to the realization of the organization's core objective of economic integration, it instituted the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (1999). ECOWAS has also ratified the Protocol on Democracy and Good Governance. Through this protocol, ECOWAS has set out principles and modalities directed at strengthening peace, stability and democracy promotion. Within the ambit of the Protocol on Democracy and Good Governance, ECOWAS has sought to advance the cause of democracy through election assistance, advancing human rights protection, deploying election observer missions and responding appropriately to instances of unconstitutional change of government (Williams & Haacke, 2008). Within the ambit of the 2001 Protocol on Democracy and Good Governance, ECOWAS offered firm response to the constitutional crisis in Togo (2005) and the post-election crisis in Cote d'Ivoire (2010). Using the instrumentality of the Protocol, ECOWAS also responded promptly to the post-election crisis in the Gambia including raising a military intervention mission, the ECOWAS Intervention Mission in the Gambia (ECOMIG). These examples show ECOWAS's efforts at nurturing democratic values, respect for electoral results and promotion of good governance.

Informed by this trend and drawing insights from published newspapers articles, opinion piece, commentaries, and editorials as well as published journal articles, books, chapters in books, commissioned reports and also deploying the qualitative interpretative approach, this paper discussed ECOWAS's democracy promotion agenda using the organization's responses to the constitutional crisis in the Gambia in the wake of former President Yahya Jammeh refusal to accept election verdict and relinquish power as point of reference. It examines ECOWAS growing attempts at rejecting unconstitutional change of government, efforts at promoting democratic order and the willingness to use military instrument (interventional mission) to protect the sanctity of election results, aid the realization of the democratic aspirations and by extension protect the democratic process using the Gambia as point of reference.



### **International Community and Democracy Promotion**

Democracy promotion has emerged as a prominent issue in international politics and constitutes an important pillar in the foreign policy direction of developed democracies (Youngs, 2001; Burnell, 2008a; Schmitz, 2013). The increasing attention given to efforts at democracy promotion have been buoyed by the incorporation of institutional re-engineering, crafting of frameworks that encourage multiparty electoral contest and electoral assistance and other forms of supports for democratization process as core aspects of peacebuilding efforts in countries emerging from conflict (Kumar, 1997). Arising from the increasing attention being devoted to the cause of democracy promotion, many intergovernmental organizations (UN, EU, AU, ECOWAS, SADC), national and international non-governmental organizations have continued to make meaningful contributions through the granting of financial aid, technical assistance and other forms of structural and institutional supports that are targeted at strengthening democratization processes in Third World countries, especially those emerging from civil conflicts.

Meanwhile, discussion on the concept and practice of what Burnell (2007) characterized as international democracy promotion is largely a ‘third wave’ democratization phenomenon. This is precisely because much of contemporary democracy promotion efforts are in response to issues that emanated from the experience of ‘third wave’ democracies and how the established democracies in Western Europe sought to aid the strengthening of the democratization process in these countries (Carothers, 2008). As Burnell (2008b, p. 38) notes, “democracy promotion denotes a wide array of approaches or strategies directed at aiding the cause of democratization in transitional countries”. Instruments deployed in the cause of democracy promotion vary but include diplomatic pressure, political conditionalities attached to financial assistance, commercial transactions, or political agreements. This is different from democracy assistance which usually entails non-coercive and concessionary political assistance projects or programmes, sometimes financial or material assistance but more often taking the form of technical support and transfers of knowledge about democracy and democratic process, inclusive of how to establish and consolidate democracy. Democracy assistance often does entail supports directed at strengthening institutions, structures, procedures and processes that promote and deepen democratic processes and reforms including but not limited to electoral assistance.

The European Union defines democracy promotion as consisting of the full range of external assistance, relationship and development cooperation activities, which contributes to the development and consolidation of democracy in Third World countries (European Council of Ministers, 2006, note 1). Thus, democracy promotion entails all activities directed at facilitating democratic development in transitional democracies. Emphasizing its significance Burnell (2008b, p. 38) notes that the democracy promotion industry is multinational in nature with estimated annual budget for activities, programmes and supports running into billions of US dollars. Underscoring the increasing attention devoted to democracy promotion by the international community, Carothers (2009, p. 5) notes that the process is undergoing

tremendous changes that impacted on the ranges of issues that is concerned with democracy promotion. The three most important of these are: the actors involved in the process, the activities that it encompasses and the countries where democracy promotion activities take place since the beginning of the third waves.

According to Carothers, (2009, pp. 6-7) “the attempts at promoting democracy can be classified into two approaches: political approach and developmental approach”. The political approach, according to him, takes off from a relatively narrow understanding of democracy and it majorly focuses on elections and political liberties. It sees democracy promotion in terms of a process of political contest in which supporters of democratic process strive to gain advantage in society over non-democrats and democratic states align with themselves more than the non-democratic ones. It directs assistance at explicit political processes and institutions with particular attention on elections, political parties, and civil society groups engaged in the political process. The developmental conception focuses on a wider conception of democracy, one that focuses on the issues of equality and justice and the concept of democratization as a steady, iterative process of change involving an interdependent set of political and socio-economic developments. It favours democracy supports that prioritize incremental long-term change in a wide array of political and socio-economic sectors, consistently reifying the centrality of governance and the building of a well-functioning state (Laurynas, 2008; Carothers, 2009).

Although developed democracies and their international development agencies have been noted as pivotal actors in the democracy promotion field, emerging democracies and regional powers are also playing increasing roles in the field of democracy promotion (Gerd, 2014). Increasingly becoming important actors in democracy promotion efforts are international organizations notably the United Nations, continental bodies notably the European Union and the African Union and sub-regional organizations, notably the Economic Community of West African States (ECOWAS). In recent years, these sub-regional organizations have devoted greater attention, political will, resources and efforts to the task of democracy promotion. The ECOWAS’s growing attention to the task of democracy promotion, especially with focus on electoral support and assistance is premised on the need to strengthen democracy and good governance seen as cardinal to the promotion of peace, stability and development of member states. The organization’s effort as it relates to democracy promotion is predicated within its 2001 Protocol on Democracy and Good Governance.

### **ECOWAS and Democracy Promotion in West Africa**

Since the decade of independence, political leaders in Africa have demonstrated a strong understanding of the importance of regional integration as an instrument for driving the attainment of the objectives of development. There are compelling reasons that informed the centrality of integration to Africa’s economic growth and national development, and these have been copiously captured in integration literature as it relates to process, progress and challenges of integration

efforts on the continent (Akokpari, 2008; Adedeji, 2012; Thonke & Spliid, 2012). These range from the expectation of economic gains arising from large market to greater political cooperation on continent-wide and sub-regional related policy issues, policy coordination on foreign policy and diplomacy and cooperation on conflict mediation, peace and security challenges (Ogwu, 2009 Adedeji, 2012; Thonke & Spliid, 2012, pp. 43-44).

Informed by this understanding, the then Organization of African Unity (OAU) through the text of the Lagos Plan of Action and Final Act of 1980 called for the establishment of Sub-Regional Economic Communities. These sub-regional organizations were to serve as linchpin for the coordination of Africa-wide economic integration process. Through the commitment of internal and external stakeholders, eight sub-regional blocs were recognized by the African Union (Boas, 2001; Adedeji, 2012)<sup>1</sup>. Of these RECs three: (ECOWAS, SADC and EAC) have made appreciable progress in the path towards advancing integration agenda in Africa. Indeed, as Ogwu and Alli (2009, pp. 12-13) note, “ECOWAS is pre-eminent among Africa’s RECs given its level of progress on economic integration, evolution of a semblance of political and governance framework and security architecture”.

The formalization of the process establishing ECOWAS was concluded with the signing of the treaty of Lagos on 28<sup>th</sup> May, 1975. The core objective of ECOWAS at inception was to serve as vehicle for the promotion of economies of member states. The instruments for the realization of this central objective were to be protocols that will accelerate the harmonization of economic policies, aid the removal of impediments to sub-regional trade and fast track the adoption of single monetary zone and a common currency (Jaye & Amadi, 2011). However, the destructive impacts of violent conflicts that engulf member states, the need to address these conflicts and secure peace, stability and security which are seen as bedrock for economic growth and development forced ECOWAS to adopt policy measures that are political in nature. Thus the exigencies of ECOWAS’s evolution gradually turned the organization towards the path of becoming a political integrative mechanism (Jaye & Amadi, 2011).

Arising from the organization’s lessons of experience from the first mission in Liberia, ECOWAS has embarked on processes directed at formalizing its peace and security instruments. In the bid to realize this objective, ECOWAS adopted the Protocol on Conflict Prevention, Management, Resolution, Peacekeeping and Security in 1999. The protocol mandated the establishment of a number of institutions of which the Defence and Security Commission and the ECOWAS Ceasefire Monitoring Group (ECOMOG) are notable. To further strengthen the sub-regional peace and security architecture, ECOWAS adopted the Supplementary Protocol on Democracy and Good Governance in 2001. This was followed with the adoption of the ECOWAS Conflict Prevention Framework (ECPF) in 2007. Through the framework, ECOWAS “intends to harmonize all the organization’s normative instruments on peace, security and development and provide a solid foundation for a comprehensive peacebuilding agenda for West Africa going into the future” (Olonisakin, 2011, pp. 27-29).

Given the experience of conflicts among member states and understanding how poor governance have been instrumental to the initiation of conflicts in the sub-region, ECOWAS has come to attach greater importance to the promotion of democracy, democratic process, norms and values. The importance attached to the adherence to constitutional change of regime, promotion of democratic process and good governance informed the ratification of ECOWAS's protocol on Democracy and Good Governance in 2001. Article 1 of the 2001 Protocol on Democracy and Good Governance makes reference to adherence to constitutional principles that would be shared by Member States. The constitutional principles stated in Article 1 include commitments to strengthen the role of parliaments and guarantee popular participation in decision making process by the people (ECOWAS, 2001: Articles 1a & d). Article 1i emphasizes the right of political parties inclusive of opposition parties to freely carry out their activities without harassment and intimidation and to participate freely and without hindrance in the electoral process in Member States. Of importance is the position that every accession to power must manifest through free, fair and transparent elections that reflect the principle of zero tolerance for power obtained and/or maintained through unconstitutional means (ECOWAS, 2001, Para b & c).

Since the ratification of the protocol, ECOWAS has demonstrated its commitment to upholding the principles enshrined therein. The unanimous and firm condemnation of the attempt to usurp the constitutional order in Togo through the installing of Faure Gnassingbe as president to succeed his father the late President Gnassingbe Eyadema was instructive. ECOWAS also demonstrated the commitment to uphold democratic principles in the course of the political and constitutional crisis that engulfed Cote d'Ivoire following the decision of then incumbent President Laurent Gbagbo not to concede defeat to opposition candidate Alassane Quattara in the aftermath of the 2010 general elections (Hartmann, 2013). Aside these instances, ECOWAS has also applied diplomatic pressure and sanctions in the defence of democracy and constitutional order in Guinea Bissau, Guinea and Niger among others.

Aside diplomatic intervention and sanctions, ECOWAS has aided the cause of democracy promotion in West Africa through the sending of election observer missions in presidential and parliamentary elections starting from Niger Republic in 1999 to the most recent missions in the Republic of Liberia in October 2017; Sierra Leone in March 2018 and the 2019 mission in Nigeria. ECOWAS election observation mission and electoral assistance was anchored on the provision of the ECOWAS Conflict Prevention Framework (ECPF), 2008. In specific terms, the ECPF tasked the ECOWAS's Commission with the responsibility to carried out variety of activities which include:

assistance to Member States and local constituencies in the preparations for credible elections, including technical and financial support for the conduct of census, voter education, enactment of credible electoral codes, compilation of voter's registers and training of electoral officials, monitors and observers (ECOWAS ECPF, 2008, point 53-f).

The ECPF also mandates ECOWAS's Commission to engage in technical assistance and training that promote awareness on governance process, principles and standards to stakeholders in the democratic process in member states such as political parties, civil society activists, national election commissions, and national anti-corruption commissions among others (Hartmann, 2013). While there are challenges, however, it is also important to recognize that ECOWAS has made appreciable progress in being alive to its responsibilities as provided in the ECPF protocol.

### **Mediation, Threat of Military Intervention and the Restoration of the Democratic Order in the Republic of Gambia**

The Republic of Gambia, the smallest in landmass and population among former British colonies in West Africa gained political independence in 1965 under a multi-party parliamentary democracy. The extension of electoral franchise in the colony of Bathurst in 1951 heralded the formation of political party and party politics in colonial Gambia. The franchise extension led to the formation of the United Party (UP), the Democratic Party (DP) and the Muslim Congress (GMC). These urban based parties dominated politics in colonial Gambia till 1960 when a new political party christened the Protectorate Party (PP) was formed. This party soon became a force to reckon with in the colony and protectorate of the Gambia. The Protectorate Party was later changed to the People's Progressive Party when Sir Dawda Jawara took over the party leadership. With series of alliances and merger, the PPP under Jawara was able to muster the electoral strength to defeat the United Party in the national elections that ushered the country into independence (Nyang, 1975).

Sir Dawda Jawara and his People's Progressive Party (PPP) continued to dominate the political space and won successive electoral contests amidst weakening political opposition. Though with imperfections, it is important to note that The Gambia under Sir Dawda Jawara was the only surviving multi-party democracy in Anglophone West Africa and indeed the sub-region throughout the 1970s and up till the mid-1980s (Perfect, 2008). As one of the four surviving multiparty democracies in the whole of Africa before the commencement of the 'third wave' of democratization, The Gambia under President Jawara enjoyed relative political stability and had a history of adherence to democratic values, norms and principles. From 1960 to 1992, the ruling People's Progressive Party under Sir Jawara conducted 11 parliamentary and five presidential elections that were seen to be relatively free and fair (Perfect, 2008). However, despite relative peace and political stability The Gambian army staged a bloodless coup that terminated the near three decades rule of Sir Jawara and the PPP in 1994. The coup was informed by the military grievances that was related to pay and living conditions. There was also growing public disenchantment with the ruling regime owing to lack of opportunities and falling standard of living. These factors, among others informed the success of the 1994 military coup led by then Lieutenant Yahya Jammeh. By and large, it could be safely argued that long before its ouster from power in 1994, the ruling regime under Sir Dawda Jawara had served for too long, grown increasingly inept and out of touch with the daily realities of life that stared many Gambians in the face (Darboe, 2010).

After the success of the military take-over and the consolidation of power by Yahya Jammeh, the military junta inaugurated a Provisional Ruling Council PRC and plan was put forth for the return of the country back to democratic rule. However, it is important to note that the plan for the return to civil rule was not announced out of the volition of Jammeh and his cohort within the military establishment. On the contrary pressure from stakeholders within the Gambia and mounting pressure from the international community largely informed the two-year transition to civil rule implemented by the ruling PRC under Yahya Jammeh. As the planned 1996 elections that will return the Gambia to democratic rule drawn close, Yahya Jammeh and his cohort retired from the military and formed the Alliance for Patriotic Reorientation and Construction (APRC). Under the banner of the APRC Jammeh contested for the presidency of The Gambia and swept the poll. Although Jammeh was able to secure electoral victory using intimidation, harassment and hounding of opposition, media repression among other means, the victory was a discredited one as the international community characterized the polls as not free, fair, competitive and thus failed to meet the benchmark for democratic elections.

Following the victory of the 1996 elections Jammeh and his APRC began to consolidate power using all manner of repressive tactics. The promise to stamp out corruption, nepotism and patronage was abandoned. A peaceful student protest in 2000 was violently crushed, opposition figures were harassed and forced into exile, the regime engaged in flagrant violation of human rights and the independence of the judiciary was subverted. Having removed constitutional term limits Yahya Jammeh contested for the presidency while his APRC party contested parliamentary seats and won in national elections conducted in 2001, 2006, and 2011. These victories were secured in the context of repression, harassment and intimidation of voters and opposition figures alike. They were also secured in the context of a weakened opposition front occasioned by the lack of cooperation among opposition leaders and their parties (Darboe, 2010).

It is in the midst of the constricted space for democratic participation that Gambians went to the poll on December 1, 2016 to elect a new president. The election this time pitched Jammeh against Adama Barrow that had managed to secure the support of the disparate opposition parties and their various leaders. In the run-off to the elections, human rights organizations repeatedly echoed the atmosphere of systemic intimidations, rights abuse, torture, and forced disappearance of journalists and activists that pervaded The Gambia (Human Rights Watch, 2015; Amnesty International, 2016). As the election drew closer, the regime became more erratic in its decision making. For instance, the government under Jammeh refused to register and accredit international observers to monitor the elections. It also threw leading opposition leaders into prison for participating in demonstrations calling for political reform. Approaching the elections in this atmosphere of fear, Gambians never entertained the thought that opposition front under Barrow would manage to pull the rug under President Jammeh (Hartmann, 2017).

Given the context of repression Gambians and international observers were taken by surprise when the Electoral Commission of the Gambia declared opposition

candidate Adama Barrow as the winner of the presidential elections on 2<sup>nd</sup> December, 2016. The commission declared that Barrow secured 43.3% of the votes, Jammeh secured 39.6% and a third candidate secured 17% (IEC, 2016). Under The Gambia's plurality electoral system, the commission took the appropriate decision in its declaration of Barrow as the rightful winner of the election. To the amazement of Gambians, President Jammeh in a televised address conceded defeat and congratulated Barrow on his victory and promised not to contest the results of the elections (Al-Jazeera, 2016a). President Jammeh abruptly terminated the victory celebration of the opposition and Gambians alike on the 9<sup>th</sup> December, 2016 when he announced that he no longer accepted defeat, citing irregularities in the results as announced by the electoral commission. Troops were deployed on the streets of Banjul on 10<sup>th</sup> December and by the 13<sup>th</sup> the office of the electoral commission was occupied by The Gambian Army. With the unfolding of events within The Gambia it became clear that President Jammeh was no longer committed to relinquishing power by January 18<sup>th</sup>, 2017, the day his term in office would have officially come to an end (Hartmann, 2017; Al-Jazeera, 2017a).

International condemnation was swift following Jammeh's about-turn refusal to accept electoral defeat and hand over power. In an editorial, Punch Newspaper (2017a, p.?) noted 'that Jammeh's volte face was more audacious, if not altogether odious given that the refusal to accept defeat after the initial acceptance has the potential to throw The Gambia into unnecessary turmoil'. This position was also echoed by ECOWAS in its reaction to Jammeh's refusal to abide by his initial statement of acceptance of defeat (ECOWAS, 2016a). The UN Secretary General also condemned the volte-face by President Jammeh, admonishing him to respect the electoral verdict and called on stakeholders to exercise restraint (Hanafi, 2016). The situation was particularly unwelcoming given the prevailing opposition to unconstitutional change of power and attempt to retain power via unconstitutional means within West Africa especially in the context of ECOWAS's 2001 Protocol on Democracy and Good Governance and the 2008 ECOWAS's Conflict Prevention Framework (ECOWAS 2001; 2008). In fact, what had characterized recent elections in Anglophone West Africa prior to the December 2016 polls in the Gambia was the defeat of incumbent regimes and the acceptance of such defeats as demonstrated by President Goodluck Ebele Jonathan in Nigeria, 2015 and John Dramani Mahama in Ghana, 2016.

Living up to the spirit of the ECPF, ECOWAS was quick to react when Jammeh announced his decision not to accept defeat again. The organization called on the Gambian government under Jammeh to 'abide by its constitutional responsibilities and international obligations' (cite source with page). ECOWAS went further by stating that, 'it is fundamental that the verdict of the ballots should be respected, and that the security of the president-elect, Adama Barrow, and that of all Gambian citizens be fully ensured' (ECOWAS, 2016a). ECOWAS followed up the issuing of strong worded statement of condemnation with the sending of a mediation commission to Banjul to prevail on President Jammeh to accept defeat and vacate office at the appropriate time. The commission consisted of Liberian President Ellen

Johnson Sirleaf as the sitting chairperson of ECOWAS, Nigerian President Muhammadu Buhari, Ghanaian President John Dramani Mahama and Sierra Leonean President Ernest Bai Koroma as well as UN Special Representative for West Africa Mohammed Ibn Chambas. The mediation team visited Banjul and conferred with President Jammeh on 13<sup>th</sup> December, 2016. The visitation was fruitless as the team was unable to persuade Jammeh to rescind his decision (Al-Jazeera, 2017b; Hartmann, 2017).

Following the failure of the first mediation team to secure assurance from President Jammeh that he would relinquish power, ECOWAS decided to take firm steps to convince President Jammeh that it meant business. In this regard, and to demonstrate that ECOWAS was not foreclosing dialogue, the organization agreed to continue mediation efforts through Presidents Buhari and Mahama. At their regular summit in Abuja on 17<sup>th</sup> December, 2016 ECOWAS requested that the African Union and United Nations endorse the decisions arrived at in the summit with regard to The Gambia. These decisions were: that the Heads of State would attend the inauguration of President-elect Barrow in Dakar on the 19<sup>th</sup> January, 2017 and that ECOWAS through a unanimous decision had resolved to take all necessary means to strictly enforce the results of the December 1<sup>st</sup> elections. In this regard, ECOWAS decided to place a standby force on alert and formally authorised them to intervene militarily to remove Jammeh from office if he decided not to relinquish power (ECOWAS 2016b; Al-Jazeera, 2017a). President Buhari again met with Jammeh on the 13<sup>th</sup> of January 2017 in continuation of the Mediation Commission's efforts on the Gambian crisis. The meeting, like the one before, failed to achieve any tangible result.

As deadline of 18<sup>th</sup> January, 2017 drew nearer, the possibility for the utilization of the military option became more probable. On 14<sup>th</sup> January President-Elect Adama Barrow travelled with ECOWAS mediation team to Bamako, Mali to meet with other heads of states who were attending the France-Africa summit (Al-Jazeera, 2017c). On the same day ECOWAS Chiefs of Staff met in Abuja to deliberate on preparations for the raising of ECOWAS Military Intervention Force in the Gambia (ECOMIG), discuss the modalities for its engagement, mandate and rule of engagement of the intervention force. On January 18<sup>th</sup>, detachment of troops from Nigeria, Ghana, Mali and Togo finalized preparation for deployment as part of the intervention force while troops from Senegal, the largest contingent for the intervention force had already amassed on the border awaiting final order from ECOWAS headquarters to cross the border. Navy detachment from Nigeria and Senegal had secured a complete naval blockade of the Gambia. In the same wise, a detachment from the Nigerian Airforce had taken over total control of the Gambia airspace (Punch Newspaper, 2017b; 2017c). The three pronged approach completed the sealing off of the Gambia territory and was a crucial attempt at demonstrating the willingness of ECOWAS to militarily enforce its resolution on the Gambian crisis in the defence of the democratic will of Gambians.

On 19<sup>th</sup> January, 2017, the UN Security Council meeting in New York unanimously approved Resolution 2337, expressing full support for ECOWAS's efforts 'to ensure, by political means first,' that 'the will of the people of The Gambia



as expressed in the results of 1<sup>st</sup> December, 2016 polls is protected. On the same day, Adama Barrow was sworn-in as the third President of The Gambia in the presence of the international community at the Embassy of the Gambia in Dakar, Senegal. With the threat of imminent invasion by ECOMIG force, the Gambian Chief of Army Staff pledged allegiance to President Barrow and declared that his troops would not engage the ECOMIG force in combat. Earlier, Deputy President to Jammeh and some high ranking ministers in his cabinet had resigned their appointment while Gambian ambassadors abroad had pledged allegiance to President-elect, Adama Barrow (Al-Jazeera, 2017d). Realizing that all options were foreclosed, Jammeh announced his decision to go into exile and a last minute arrangement was put together under the coordination of Mauritanian President Abdel Aziz, Guinea President Alpha Conde and UN Special Representative for West Africa Mohammed Ibn Chambas (Al-Jazeera, 2017e). Based on request from President Barrow, ECOWAS decided to allow the ECOMIG force to cross the border into the Gambia, secure the territory and stay behind for stabilization efforts (Punch Newspaper, 2017d).

With Jammeh's departure for exile in Equatorial Guinea, Barrow's inauguration and ECOMIG deployment, the constitutional crisis in the Gambia was settled, the threat of violence averted and ECOWAS military engagement shelved. ECOWAS through its actions could be said to have managed to secure the protection of the electoral mandate that Gambians gave to President Barrow. In doing so, ECOWAS was able to restore democracy in the Gambia by using the threat of force. Starting from when Yahya Jammeh reneged on his promise to step down, ECOWAS demonstrated unflinching resolve to protect the constitutional order, fight the cause of democracy and protect the sanctity of the ballots in the Gambia. The strong commitment as demonstrated by ECOWAS was highly instrumental to the peaceful resolution of the constitutional crisis in the Gambia. Taking all efforts exerted on the Gambian issue into consideration, it could rightly be argued that ECOWAS's democracy promotion and the protection of the constitutional order was successful, and that the Gambian case marks yet another watershed in ECOWAS continued commitment to the protection of constitutional order and advancement of the course of democracy in West Africa.

## **Conclusion**

Conceived as a platform to drive economic integration objectives of member states within the West African sub-region in 1975, ECOWAS has since evolved to take on the task of performing important political and security functions. The transformation that ECOWAS had witnessed four decades after the signing of the Treaty of Lagos, especially in relation to the organization's core objectives, mission and mandate was largely informed by socio-economic and political realities of states in West Africa. Of importance are the issues of political instability and violent armed conflicts that bedevilled some member states of ECOWAS (Liberia, Sierra Leone, and Guinea) for the greater part of the 1990s. The need to address these conflicts and contain their potentials to snowball into sub-region wide crisis informed the decision to raise a peacekeeping mission (ECOMOG), deployed first in Liberia. Moving

forward, ECOWAS leaders also realized the centrality of poor governance, rights violation, disregards for constitutionality among other socio-political issues in engendering conflicts in the sub-region. The need for institutional platform to address these challenges in the context of ECOWAS mechanism informed the revision of the treaty establishing the organization in 1993, the ratification of Protocol Relating to the Mechanism for Conflict Prevention (1999), the ratification of Protocol on Democracy and Good Governance (2001) and the ECOWAS Conflict Prevention Framework (2008). The three protocols listed above institutionalized modalities for ECOWAS's conflict prevention, peacekeeping, peacebuilding, promotion of democracy, good governance and rejection of unconstitutional take-over of power in West Africa.

It is within the framework of the Protocol on Good Governance and the ECPF that ECOWAS anchored its involvement and mediation when constitutional order was threatened, first, in Togo in 2005, in the post-election crisis that rocked Cote d'Ivoire in 2010 and its mediation and threat of the use of force to ensure former President Jammeh relinquished power in the wake of the December 2016 general elections in The Gambia. By the firmness demonstrated in the course of the Gambian crisis, ECOWAS ensured the enforcement of the democratic will of Gambians as expressed in the Presidential Elections of December 1 and the polls results as declared by IEC on December 2, 2016. ECOWAS decision to use force if and when the need arose, and also as instrument of last resort in its bid to enforce the outcome of the elections and eventually force Yahya Jammeh out of power, was predicated on rules as set forth in the Protocol on Democracy and good governance and the ECPF of which The Gambia was a signatory. ECOWAS decisions and actions also enjoyed the support of the international community and were in tandem with the wishes of Gambians as expressed during the elections and thereafter. More importantly, ECOWAS was able to match actions with words and thus demonstrated that it is ready to do the needful in ensuring that constitutionality took precedence in the Gambia.

#### Notes

1. These include: the Arab Maghreb Union, AMU; the Common Market for Eastern and Southern Africa, COMESA; the Economic Community of Central African States, ECCAS; the Economic Community of West African States, ECOWAS; the Community of Sahel-Saharan States, CEN-SAD; the East Africa Community, EAC; the Intergovernmental Authority on Development, IGAD; and the Southern African Development Community, SADC.

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## **Theoretical Perspectives on Pastoralists/Farmers' Conflict in Nigeria: An Exposition**

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### **Abstract**

*The conflict between pastoralists and sedentary farming communities in Nigeria have not only evoked security challenges that have undermined inter-ethnic harmony and threatened the corporate existence of the country, but have adversely affected food security and the socio-economic development of the country. Plethora of theories enmeshed in economic, political, religious, social and ecological undertones have emerged that have attempted to explain the cause of this phenomenon. This study is an analysis of the theoretical explanations on pastoralists and farmers' clashes in Nigeria; its implicit aim is to expose policy makers to the possible cause(s) of this phenomenon with the aim to enable them come out with solutions to abate it. The study, which is analytical and relies on secondary data sources argues that though each of these theoretical postulates has some element of validity, none can exhaustively explain the cause of this social miasma. However, due attention should be given to theories laden with conspiracy undertones in view of the dilatory nature of the Federal Government's response to the conflicts and its persistence.*

**Keywords:** pastoralists, sedentary farmers, conflict, perspectives

### **Introduction**

For over a decade, lingering bloody conflict between pastoralists and sedentary farming communities have assumed a frightening and alarming proportion in Nigeria. There is hardly any geo-political zone of the country that has not felt the mayhem unleashed by herdsmen. In recent times, the states mostly affected are Benue, Adamawa, Kwara, Kogi, Nasarawa, Niger, Plateau, Taraba, Bauchi, Kaduna, the Federal Capital Territory in central Nigeria, Ondo, Enugu and Delta states in southern Nigeria and the southern parts of Borno, Gombe, Kebbi, and Yobe states in the northern part of the country. Apart from heavy humanitarian toll, the crises have impacted negatively on the socio-economic development of the country. Precise tallies are unavailable, but a survey of open sources by International Crisis Group (2017) over the past five years reveals an annual average of more than 2,000 people have died from the crises which exceeds that of the Boko Haram insurgency in the country. In the Middle Belt region of the country where the crisis is more intense, Kwaja and Ademola-Adelehin (2018) disclosed that more than 6,000 people have been killed and over 62, 000 displaced in Benue, Kaduna, Nassarawa and Plateau states with properties, crops and livestock worth billions destroyed. In 2018 for instance, statistics from Amnesty International indicate that a total of 3,600 people

have been killed in Nigeria out of which 1105 are from the middle belt region of the country.

A recent report by Search for Common Ground indicates the federal government is losing \$13.7 billion annually as a result of farmers/herders' clashes (Jimoh, 2017). The study also found out that on average, Benue, Kaduna, Nassarawa and Plateau States have lost 47% of their internally generated revenues as a result of the crises. Reports by Mercy Corps, a global humanitarian organization funded by the British Department for International Development (DFID) indicate that between 2013 and 2016, the crisis has affected the economic earnings of Nigerians and the average Nigerian household stands to gain an income increase of about 64% and 210% higher if the conflicts are reduced (Mercy Corps, 2015). Apart from loss of income, the violence has stunted agricultural production and this constitutes a threat to Nigeria's overall food security. The North West and the north central region of the country that has been engulfed in these crises is the home of grains, roots, tubers, fruits and in the country and much of these have not been farmed due to the escalation of the conflicts. Also, cattle rustling has affected production and the bouts of violence have led to the proliferation of arms in the country. It should be noted that many of the communities affected by these conflicts have resorted to self-defense by acquiring arms to defend themselves in the face of apparent federal government's inability to take proactive measures to ameliorate the crisis and this has aggravated insecurity in the country. Both the electronic and print media has been awash with screaming headlines on the conflict such as 17 murdered including two reverend fathers in GwerEast Local Government, Mbalom, Benue State (*The Guardian*, 17, April, 2018); At least 400 died in renewed fresh Jos crisis (*Vanguard*, 8, January, 2010); 'Militiamen killed 52 and burned 300 in Benue and Delta (*The Guardian*, 19, May, 2004).

In spite of the hues and cries; the concomitant insecurity; and global condemnation of the carnage perpetrated by the herdsmen in the country, the federal government has failed to come out with a clear-cut policy to resolve the crisis. The approach of the government has been evasive and contradictory as it continues to contemplate either the establishment of ranches or cattle colonies. These statements by the Minister of State for Agriculture, Heineken Lokpobiri at the Senate Public hearing on perennial clashes between herdsmen and farmers and the Minister of Agriculture, Audu Ogbeh after a security meeting in Abuja attests to the ambiguity in policy pronouncement. The Minister of State Agriculture told the Senate Public hearing that:

We have consulted widely and we have realized that the best way to solve the problem is to create ranches. The herdsmen can keep their cattle, feed them and be more productive. The ranches will have all modern amenities so that families of the herdsmen can also have the same opportunities like going to school, hospitals and others (Ojiabor, 2016, p.2).

The Minister of Agriculture after a security meeting with the Minister of Interior and the governors of Benue, Niger, Taraba, Kaduna, Nasarawa and Adamawa States came out with a policy change and told journalists that

We are planning a programme called cattle colonies not ranches, but colonies where at least 5,000 hectares of land would be made available. Adequate water, adequate pasture would be made available. We also want to stop herdsmen from roaming about; the culture of cattle roaming about will be stopped. The cattle will be provided with water and adequate security against rustlers to enable them to lead a normal life. This has been done elsewhere in India, Ethiopia and even Brazil (*The Nation*, Jan.14, 2018, p.2).

This vacillation over establishment of ranches and cattle colonies and the attendant passive response to the incessant bloody clashes between pastoralists and farmers in the country by the federal government is an indication of the inability of policy makers to properly diagnose the cause of these clashes. This study is therefore spurred by the dilatory nature of government's response and the imperative to analyze and expose policy makers to the contending theories that seek to explain the cause of this social conflict. The underlying motif is to acquaint policy makers with the knowledge that will save them from creating easy solutions that may tend to aggravate the problem. Conscious that multiplicity often tends to frustrate a clear understanding of a problem and the articulation of appropriate response to it (Alozieuwa, 2015); the paper has not only analyzed the contending theories but made suggestions that would guide policy makers in their decision so as to avoid the confusion that may arise in sieving a solution in the midst of plenty.

### **Pastoralists/ Farmers Conflict: A Historization**

Conflict is inevitable in society; and pastoralists/farmers' conflict has been one of the major conflicts in society which dates back in ancient times. Some of these conflicts recorded early in history are the Sythian nomadic depredations in Greece in the 4<sup>th</sup> century BC; the conflict between homesteaders and cattle men in America and the struggles between the nomadic Bedouin and the Fellahin of Arab societies in the Middle East (Zakka, Marabs and Shehu, 2017). They noted that central to these conflicts is access to open range land and staked out claims of private property. In Africa, particularly in West Africa before the 20<sup>th</sup> century, conflicts between herdsmen and farmers were witnessed mainly in the Savana belts where cattle rearing was the predominant occupation against crop production which was on a small scale and was tied to the short rainy season (Agyeman, 2017; Ofuoke & Isife, 2009). This enabled the Fulani herdsmen to have access to large grazing areas. However, by the second half of the 20<sup>th</sup> century, precisely in the 1970s and the 1980s, the impact of the Sahelian drought necessitated the movement of herdsmen from the Sahel into the forest zone of the coastal states such as Ghana, Benin, Ivory Coast and Nigeria for survival (Agyeman, 2017; DeBruijn & Van Dijk, 2003). The movement and



settlement of these herdsmen in the West African sub-region has triggered violent confrontation between herders and sedentary farming communities.

Across Africa, since the 1990s, Jensen, Brown & Mathew (2009) have observed that exploitation and competition over natural resources have been a prime cause of brutal clashes between farmers and herdsmen. These clashes have been recorded in northern Kenya between the Turkana and Pokot nomads and their neighboring communities. Uganda, South Sudan and the northern Region of Ghana has also experienced clashes between pastoralists and farmers over access to land resources, Olaniyan and Uzodinma (cited in Oli, Ibekwe and Nwanko, 2018: p). Also, Namibia, Tanzania, Burkina Faso, Ivory Coast have recorded several clashes between pastoralists and farmers in the continent (Zakka *et al*, 2017).

In Nigeria, especially in the northern part of the country, the seasonal rainfall and prolonged dry season has brought dynamics in the ecosystem and sour relationships resulting in a sharp division between the sedentary farmers and the nomadic pastoralists (Abbas 2012). These clashes have been on the increase with the advent of civil rule in 1999 and have cut across the length and breadth of the country. The areas mostly affected are States in north central Nigeria particularly, Benue, Nasarawa, Plateau, Taraba, Adamawa, Kaduna, Niger and the Federal Capital Territory. Dwindling pasture due to the impact of climate change and population explosion are imperatives that pushed the herdsmen in the far northern parts of the country and other parts of West Africa to seek greener pastures in other parts of the country particularly in the Middle Belt and Southern parts of Nigeria where rainy season is longer (Fabiya and Otunaga, 2016). In the course of this movement, the herdsmen's cattle trespass into spaces cultivated by settled farmers, often destroying their farm produce and ponds which triggers bloody conflicts.

It should be noted that clashes between farmers and herdsmen are not a recent development in Nigeria. As part of measure to ameliorate these clashes and improve livestock farming, the Grazing Reserve Act of 1964 was enacted by the Nigerian government which provided for grazing areas and paths for the passage of livestock (Olayoku, 2014). But these areas previously designated as grazing routes have been encroached upon by farmers and estate developers, forcing the herdsmen away from these areas and deeper into farmland and homestead communities (Mercy Corps Nigeria, 2015) thus aggravating conflicts between herdsmen and farmers. The increase in frequency, intensity and geographical scope of these clashes in the country has heightened not only the fragile relations among the ethnic nationalities in the country but it has devastating humanitarian and economic toll (Crisis Group Africa, 2017).

## **Theoretical Perspectives**

### **The eco-violence theory**

The eco-violence theory is an emerging theoretical construct that links contestations over environmental resources with violent conflicts in the society. It stresses that changes in ecological conditions can trigger conflict in the society. The theory as popularized by Homer-Dixon argues that conflict is generated by the scarcity of natural resources. As postulated by Homer-Dixon (1999, p.30):

Decrease in the quality and quantity of renewable resources, population growth, and unequal resource access act singly or in various combinations to increase the scarcity, for certain population groups, of cropland, water, forests, and fish. This can reduce economic productivity, both for the local groups experiencing the scarcity and for the larger regional and national economies. The affected people may migrate or be expelled to new lands. Migration groups often trigger ethnic conflicts when they move to new areas, while decreases in wealth can cause deprivation conflicts.

The theory emphasizes that scarcity and competition over environmental resources such as fresh water; crop land; forests and fish which are vital to crop production in developing countries such as Nigeria can ignite conflicts. The farmers-herders clashes in Nigeria is largely seen as a concatenation of eco-survival. Writers (Chukwuma & Atelhe, 2014; Abbas, 2012, Luka & Erunke, 2016) have argued that farmers-herders conflict is a struggle by both pastoralists and farmers to protect their means of sustenance. It has been observed that the Sahara Desert occupies 35% of Nigeria's land mass and is creeping southward at the rate of 0.6 km a year (Conroy, nd). This is being accompanied by deforestation which is taking place at the rate 3.5 % per year. Apart from this, the Sudan-Sahelian region of Nigeria too has experienced 3-4% decrease in rainfall per decade since the beginning of the 19<sup>th</sup> century and the number rainy season days have in the North has decreased from 150 to 120 in the last 30 years destroying 20% of crop yield (Conroy, nd). Over the years, the combination of a growing cattle population, the effect of climate change on the availability of water and forage crops as well as inability to access the North eastern foraging grounds due to the Boko Haram insurgency have pushed the pastoralists to move to the Middle Belt region of the country as well as the Southern part of the country in search of pasture (Adetula, 2016). In the process, these pastoralists trespass on farmlands, destroying crops and valuables owned by the host communities. Consequently, attempts by these sedentary farmers to prevent them from causing havoc are met with stiff resistance (Adetula, 2016).

The clashes between herdsmen and sedentary farmers is clear a manifestation of eco-survival. The clashes are a struggle over economic interest by animal farmers and crop farmers who depend on land for their survival. Farmland to an average farmer especially the Tiv of Benue state represents food security and throughout their existence they tend to fight whoever threatened their food security. In the same vein, the average herdsman particularly the Fulani views denial of access to grazing land as tantamount to destroying his means of livelihood since life without cattle is meaningless. Pastoralists-farmers conflict should therefore be seen as a clash of interest by different socio-cultural groups that tenaciously hinge their destiny on land and the competition over land use which has culminated into a 'battle for survival'.

i. **Islamic Jihadist Agenda perspective**

Conflicts between pastoralists and farmers in Nigeria has also been interpreted as a 'subtle continuation of the 1804 Fulani jihad by today's' fully armed,

and well protected Fulani herdsmen with the same old agenda to overrun and Islamize Nigeria' (Orebe, 2018: p.20). He further points out that the struggle by the pastoralists who are predominantly Fulani over access to grazing land is a manifestation of the global Islam agenda and should be likened to the king Yunfa- Usman Dan Fodio episode in February, 1804. King Yunfa, the Sarkin Hausa of Gobir now Sokoto out of hospitality hosted a Fulani immigrant Usman Dan Fodio and his group in 1804. This magnanimity later turned to hostility and the subsequent killing of Yunfa in 1808 by the immigrants who overrun the entire Hausa kingdom, dethroned their rulers, and brought them under Dan Fodio's rule in the Sokoto Caliphate. This took place because the host allowed the Fulani access to grazing land. The same scenario replicated in Ilorin where Afonja who colluded with the Fulani was later killed and, in his stead, installed the Alimis as emirs over a predominantly Yoruba Kingdom till date. This expansionist mission of the Fulani was extended in Osogbo in 1840 but they were defeated by the Yorubas. And as rightly observed by Orebe, (2018) that if the Fulani had not been defeated by the Yoruba in 1804, there would probably have been Fulani emirs all over Yoruba land today. The present clashes between the Herdsmen and farmers should therefore be seen largely as a jihadist movement. It is the descendants of these same Fulani who are now clamouring for grazing reserves and routes throughout the country and such grazing reserves if allowed will see these reserves in future metamorphose to Fulani settlements and subsequently translate to local government Areas with their elected officials. This has been further buttressed by, Alubo (cited in Daga, 2018, p.2) that the various attacks and conflicts are related to claims and contestations over land and identity as a basis of determining who is included or excluded from decision making and opportunities in particular situations. This should therefore be viewed as furtherance of an age-long strategy which is to create a problem and come up with a solution that advances the cause and then give it a legal backing to make it look like a win-win situation (Orebe, 2018).

## ii. **Conspiracy Theory**

The rising spate of attacks by militia herdsmen and the complacency of the federal government over the issue has been viewed as a conspiracy by the ruling Hausa-Fulani elite to not only destabilize the country but to impose Fulani political supremacy (Alamu, 2018). It is undisputable that since independence in 1960 the state has crushed all groups that have carried out arms against law abiding citizens to cause confusion. It is only the armed Fulani herdsmen that have gone unchallenged by the Nigerian state. Every other group that that has resorted to arms in pursuit of their declared and undeclared interests have been confronted by the organized violence of the state (Alamu, 2018). The social contract theorist John Locke (1632-1704) has long ago emphasized that the reason for men to unite under a commonwealth is the preservation of property which under the state of nature was dicey. Hence, the obligation to obey the government depends on the fact that public power is used for peace, safety and public good. This accounts for why in modern times, the corner stone in the theory and practice of government is the monopolization of the

instruments of violence by the state. The only exception is where private companies and individuals are licensed by the state for self- protection.

In Nigeria, many cases abound where the federal government swiftly employed force to repel those that have carried out arms to destabilize the state. On February, 13, 1966, Isaac Jasper AdakaBoro- led members of the Niger Delta Volunteer Force (NDVF) took up arms against the federal government by declaring an independent 'Niger Delta Peoples Republic'. This revolution was crushed by federal troops within 12 days after it was launched. This was the first organized violent campaign by the ethnic minorities in the Niger Delta region against exploitation and neglect by the Nigerian state (Adangor, 2017).

Other violent campaigns which the Nigerian state used the military and other security apparatus to nib them in the bud as chronicled by Alamu (2018) include the Ugep rebellion in Cross River State and the Agbekoya uprising in the West both of whom took up arms against the state and the military during the civil war and were met with the counter-violence of the state; the Bakalori peasants of Sokoto state against whose bows, arrows and machetes the Shagari administration used maximum state violence and the Niger Delta militants from the 1980's to the present that have been disarmed by the military.

Also, the Boko-Haram sect that has unleashed terror on innocent citizens in the country through bombings, kidnappings and cattle rustling especially in the north eastern part of the country since 2009 has received frontal attack by the Buhari led government. The Buhari administration has not only declared the fight against insurgents in the north east as one of the cardinal programmes of the administration, but since assumption of office the government has ordered the military high command to relocate to the north east in order to decimate the activities of the group. In furtherance of this, 'Operation Lafiya Dole' was launched by the military authorities to quell the activities of the group.

In 2015, the Buhari led government deployed the full force of the Nigerian military against protesting and demonstrating Shiites, killing more than 300 of the demonstrators and marchers. This military operation took place against Shiite claims been backed by many independent Nigerian and foreign observers and Human Rights Groups that their members were not armed. Though the federal government insisted that the group was armed.

Since the return to civil rule in 1999, the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and the Indigenous People of Biafra (IPOB) have resurrected the dream of a Biafra State to secede the Eastern part of the country from Nigeria. These two groups have adopted protests and peaceful demonstrations as opposed to violence in order to prosecute this goal. IPOB and MASSOB despite their hate rhetoric and utterances remain an unarmed group whose activities are anchored on Mahatma Gandhi's principles of non-violence (Kertyo, 2017). But it should be noted that some of the protests in the South East had shut down economic activities and vehicular movement in this part of the country. The federal government reacted swiftly to declare the activities of these groups as illegal and unlawful. IPOB for example has been labelled as a terrorist organization by the

federal government and its leader NnamdiKanu is presently facing treason charges before an Abuja High Court but has jumped bail and is at large. Not satisfied, the Nigerian government last year, 2017 ordered a military operation code named 'Operation Python Dance' to flush out the insurgents which led to the death of many youths in the region.

It is curious that all the groups and individuals that have threatened the peaceful co-existence of the country have been engaged by the Nigerian state and its police and military institutions. But there is a single exception and it is the Fulani herdsmen. In spite of repeated claims by Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN) for the responsibility of most of these attacks, none of its members has been arrested by the security apparatus. This points to a conspiracy as the retired general reacts with a disproportionate sledgehammer and proactive violence to the least ethnic provocation from other parts of the country while treating the menace of the Fulani herdsmen with cavalier cool and even towering indifference' (Alamu, 2018, p.3).

There is also an international dimension to the conspiracy angle. There is the argument that the attacks are masterminded by foreign insurgents to destabilize the country. President Buhari in a recent meeting with the Archbishop of Canterbury, Justin Welby at Abuja House in London on 11 April, 2018 explained that pastoralists/farmers' conflict has escalated in Nigeria in recent times due to the influx of late Muamar Ghaddafi's army of gunmen who escaped into Nigeria and started causing problems to local populations with sophisticated weapons. In his words, 'the problem (herdsmen/farmers conflict) is even older than us. It has always been there but now made worse by the influx of armed gunmen from the Sahel region into different parts of West African subregion'. It has further been argued that pastoralist grievances and conflicts are fertile grounds that could be manipulated to facilitate terrorism's push into new areas. In Africa, Fulton and Nickels (2017) have alerted that Islamist terrorists might mobilize herder communities to penetrate the Central African Republic and accelerate religious elements of that conflict. There is also a likelihood that these terrorists might exploit pastoralist tensions to extend their influence into Sudan and the Democratic Republic of the Congo.

The insinuation is that due to the impact of desertification and drought new conflicts over water and land could provide terrorist groups further opportunities to make inroads. Hence the spate of attacks in Nigeria too could be a subtle attempt by international Islamic groups to aggravate hostilities and manipulate ethnic and religious differences to destabilize the country.

Though persuasive as this argument is, it should be noted that pastoralists too have been victimized by terrorists. In Nigeria, the Boko-Haram terrorists have attacked herders thereby losing lives and thousands of livestock to the conflict. Hence it is difficult to find a link between Islamic terrorists and the conflict.

### iii. **The Vengeance Perspective**

This perspective harps the lingering pastoralists/farmers crisis on the worsening economic condition in the country which has led to a dramatic rise in

incidents of cattle rustling and coordinated armed attacks on herdsmen. The violent attacks by herdsmen is a reaction to the incessant theft of their livestock has led to the weaponization of the trade (pastoralism) on a large scale in order to defend their source of livelihood (Alamu, 2018). In Nigeria, poverty and unemployment rate has pushed many youths into cattle rustling and the reaction from the pastoralists is the resultant farmers' herders clash. Statistics from the United Nations Development Programme (UNDP) indicate that Nigeria's poverty rate stood at 53.7% in 2016 and the intensity of poverty is more prevalent in the North West zone followed by the North East. The level of unemployment in the country is also on the increase and statistics from the National Bureau of Statistics (NBS,2012) reveal that unemployment rate rose from 13.1% in 2000 to 24.3% in 2012; and by the third quarter of 2017, the unemployment rate stood at 18.80 % (NBS, 2018). The rate of unemployment and poverty has accentuated cattle rustling in the country.

It has been revealed that of the over 50 million cattle which inhabit and traverse the Nigerian landscape, the number of rustled cattle is on average 60,000 head or 12 % (Achineku,2018). The attacks by herdsmen are a retaliation against cattle rustling. The leader of Miyetti Allah Cattle Breeders in Benue State, GarusGalolo recently revealed to the British Broadcasting Corporation (BBC) that Fulani Herdsmen Attacked in Benue State because over 1000 of their cattle were stolen at Nengere a border community with Taraba state when the Fulani were moving out of the state. In his words (Pidgin English) 'as we dey relocate go Taraba State through Nassarawa State for border town of Nengere, thief come collect 1000 cows from us, so we sef fight dem back' (Odufowokan, 2018).

#### iv. **Political Feud Perspective**

This perspective argues that the structures behind the violent clashes between pastoralists and farmers are deeply rooted and politically entrenched. Leff (2009) for instance has pointed out that the Nigerian government has conferred preferential land rights on those they dubbed indigenes (Natives) to a region, thereby marginalizing and frustrating the so-called settler (foreigner) groups which occasionally includes the nomadic Fulani. Consequently, political elites have manipulated such laws, rallying supporters to protect indigene status or stocking settler resentment for votes. With the 2019 elections fast approaching, it is believed that the attacks are been sponsored by politicians who are trying to blackmail the All Progressive Alliance (APC) led government under president Buhari a Fulani. In fact, the President in his nationwide broadcast to the nation to mark Nigeria's 58<sup>th</sup> Independence anniversary told Nigerians that the clashes are sponsored by politicians because they know security is one of the strongest points of his administration. Hence, the politicians have turned the herdsmen conflict into an 'easy to sell and buy commodity' for campaigns for the 2019 Elections.

In Benue state for example, the State governor Samuel Ortom has used the attacks by the herdsmen that led to massive destruction of lives and property and the consequent enactment of the Open Grazing Prohibition and Establishment of Ranches Bill as his major achievement thereby rallying support for his second term bid as

governor of the state. His campaign strategy has been to accuse the APC as a Fulani led party and the Benue people should vote out the APC so as to prevent the Fulani from taking over their ancestral land. The preponderant opinion within this perspective is that the opposition politicians are sponsoring the attacks by armed herdsmen in the country so as to destabilize the country.

v. **Frustration-Aggression Theory**

The frustration-aggression theory attempts to provide explanation for violent conflicts in the society by relating it to frustration or perceived obstacles by individuals or groups to the realization of the desired goal. Propounded by Dollard (1939), the theory posits that aggression is an outcome or result of blocking or frustrating a person's efforts towards a certain goal. According to this theory, individuals become aggressive when there are obstacles (perceived and real) to their success in life (Dollard, 1939). Individuals whose basic desires are thwarted and who consequently experience profound sense of dissatisfaction and anger are likely to react aggressively at what is perceived as being responsible for thwarting those desires. It has been pointed out by, Alozieuwa (2012) that all humans have basic needs which they seek to fulfill and the failure caused by individuals or groups to meet these basic needs could lead to conflict.

The incessant clashes between pastoralists and farmers in Nigeria is a reaction to the obstacles/ frustration that both groups encounter in their quest to secure their means of livelihood. As rightly observed by, Oli et al (2018) that the goal or aim of every farmer is to have bountiful harvest, then sell the farm produce and make profit. On the other hand, the herdsmen would always want to have well fed and healthy cattle and be able to make profits as well. When any of these expectations are not realized, either by the herd (cattle) eating up and destroying the farmers' crops or that the farmers encroach on grazing reserves or use water reserved for cattle to irrigate their farms, aggression could be triggered. Either of the parties that felt frustrated to achieving their economic goals may decide to reprise as to show their displeasure and as a result conflict will occur.

It should be noted that sedentary farming communities such as the Tiv of Benue state, over the year have tried to secure more fertile land in order to produce enough food to feed their rapidly increasing population. Being conscious that land is needed for survival; any attempt to trespass on their farmland is viewed as a threat to their survival (Hembe, 2005). So, throughout their existence, the Tiv have fought and resisted whoever threatened their food security by trespassing on their farm land. The herdsmen particularly the Fulani depend on their cattle as a means of livelihood and any attempt to prevent them from grazing their cattle is interpreted as not only destroying their means of livelihood. Life without cattle to a Fulani is worthless and as noted by Chukwuma and Atelhe (cited in Luka & Erunke, 2016, 327) 'For the average Fulani-herdsmen, pastoralism is a way of living, which is reckoned with as a mark of common heritage. In effect, any threat to his herd amounts to threat, not only to his survival; but also, to his common destiny'. Thus, when the farmers and

pastoralists perceive any threat to their means of livelihood, they tend to vent their anger through violent resistance.

vi. **The Failed State Perspective**

In contemporary times it has become evidently clear that one of the most important challenges for the global community but particularly African society is that posed by the phenomenon of a failed state. Helman and Ratner (1993) attempted a definition of a failed state and focused on a situation where the governmental structures has been overwhelmed by circumstances from its environment. They gave examples of Bosnia, Cambodia, Liberia and Somalia as failed states.

However, Zartman (1995) offers a more illuminating version of a failed state when he asserts that such failure occur when the basic functions of the state are no longer performed optimally by its institutions. In the view of the authors of this essay state failure occur when such institutions lacks the capacity to perform such functions as effective maintenance of law and order, provision of social welfare for the citizens and general infrastructural development. Potter (2004) supports Zartman's view and further states that the failure of a state is not only associated with the collapsed states which are in a civil war or in anarchy but also can be seen as a process in which the state fail to discharge its responsibilities due to consistently declining capacity. Potter (2004 P.4) provides the characteristics of a failed state as follows:

- i. Failed states are tense, deeply conflicted, dangerous and bitterly contested by warring factions;
- ii. Failed states are states which cannot or will not safeguard minimal civil conditions, i.e peace, order and security domestically.
- iii. Failed states can be defined in terms of their demise of the practical operation of governmental functions for an internationally recognized state.
- iv. Failed states could be expanded if one were to include states facing serious internal problems that threaten their continued coherence or significant internal challenges to their political order.
- v. A failure can be also based on cultural indicators such as the restrictions on the free flow of information, the subjugation of women, the inability to accept responsibility for individual or collective failure, the extended family or clan as the basic unit of social organization, the domination by a restrictive religion, the low valuation of education, and the low prestige assigned to work.

The above attributes of a failed state explain the situation in Nigeria particularly as it has to do with lack of capacity by the government to deal with the lingering pastoralists/ farmers crisis in the country. This is a clear manifestation of the character of post-colonial states in Africa. Thus, Bilgin and Morton (2007) posits that post-colonial states are deeply characterized by the phenomenon of failed states. The Nigerian state today essentially revolve around an element of deficiency or failure and this provides the stimulus for lack of cohesion, mistrust, fear, politics of exclusion, ethno-religious tensions and conflicts in the country.



### **Concluding Remarks**

This study is an exposition of the theoretical perspectives that have attempted to explain the cause of the violent clashes between pastoralists and farmers in Nigeria that have disrupted inter-ethnic harmony, threatened the sustainability of agriculture and national unity in the country. The study looked at general theories that have been employed by analysts universally to explain this phenomenon that has attracted global concern. In view of its contemporariness in Nigeria, much reliance was given to secondary sources particularly the various shades of opinion expressed by analysts in the print media. The discourse has pointed out that the federal government has been proactive by deploying the military and other security forces in the past to quell the activities of groups that have threatened the peace and unity of the country such as the Adaka Boro revolt, the Ugep uprising and the Shiite protests in Zaria. It is only the attacks by Fulani herdsmen that it has not successfully mobilized forces to stop the bloodbath. Considering the lingering nature of the crises and the lackadaisical response by the federal government to this carnage that has posed a threat to the corporate existence of the country, the study recommends that greater attention should be given to the conspiracy theories.

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## **Governance, the State and National Security in Contemporary Nigeria: A Critical Examination**

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### **Abstract**

*National security is a basic function of the state in its quest for self-preservation, survival and development. This is dependent on the nature and character of governance. In essence, all actions or inactions by the Nigerian State as manifested in the nature of governance have far-reaching political, social and economic impacts on its national security system. Using elite theory, the paper argues that the conduct of governance in Nigeria has adversely affected the effectiveness of National Security infrastructure. Despite the formulation of policies to address the threats to national security in the democratic Fourth republic, the state of national security remains relatively abysmal due to structural deficits in the style of governance in Nigeria. These deficits were identified using the World Bank Governance Index (WGI). It recommends that an all embracing paradigm of governance needs to be adopted by Nigeria's ruling elite in order for the State to effectively manage the internal and external threats to its corporate existence, stability and development.*

**Keywords:** Elites, Governance, Institutions, State, National Security

### **Introduction**

One of the major functions of the State is the promotion of national security. This has to do with the ability to pursue the social, economic and political well-being of its citizens and the territory they inhabit. This function is carried out by a number of public institutions that cut across decision-making and policy execution bodies. However, this function is dependent on how the governing elites of the state manage these institutions that are meant to promote the security of citizens, territory and other vital interests at home and abroad. In other words, the character and role of those charged with steering the wheel of statecraft is central in the generation and allocation of values for these institutions that are meant to carry out the strategies of national security. In Nigeria, the State is confronted by a myriad of security challenges given the preponderance of political instability, economic uncertainties, intractable cleavages and ensuing violent conflicts that have spanned most of its post-colonial history. This implies that the national security architecture has been unable to address or minimise the causes and effects of security threats on the Nigerian society.

### **Aim and Organisation of the Paper**

This paper critically examines the state of governance (as an independent variable) in shaping the national security architecture of the Nigeria State through its collection of dysfunctional public institutions. The article is divided into the

following sections, namely: introduction of the problematic; overview of the conceptual issues; theoretical direction of the paper, examination of the character of the governing elite and how it has adversely affected the governance of the state, the impact of governance on national security in contemporary Nigeria and the concluding remarks.

### **Overview of the Conceptual Issues**

The key concepts discussed in this section are governance, the state and national security.

#### **i) Governance**

The concept of governance, whether in a strict sense or otherwise, is a central decimal in political discourse. In general, the term, governance is seen as ‘a government’s ability to make and enforce rules, to deliver services, regardless of whether that governance is democratic or not’ (Fukuyama, 2013, p. 350). However, this term has come to be associated with the internal reform of the political and economic landscapes of states in transition. This became evident towards the end of the 20th century when the Western powers through international institutions such as the World Bank, the United Nations and the Commonwealth were cajoling the erstwhile authoritarian states in Africa, Asia and Latin America to embrace liberal democratic rule. The term ‘Good Governance’ came to be synonymous with the imperative for political and economic liberalisation of the constricted space within the state (Nanda, 2006, p. 269). The World Bank as one of the policy drivers of governance defines and describes it as:

...the traditions and institutions by which authority in a country is exercised. This includes (a) the process by which governments are selected, monitored and replaced; (b) the capacity of the government to effectively formulate and implement sound policies; and (c) the respect of citizens and the state for the institutions that govern economic and social interactions among them (Kaufmann, Kraay and Mastruzzi, 2010, p. 3).

As both a concept and a policy, this implies that the role of the political leaders especially those who are in direct control of state power has to be based on the principles of democracy, accountability to the people and the rule of law. In the same vein, the actions carried out by public institutions should be based on promoting the social and economic well-being of the society. In addition to this definition, governance has been operationalised into some indicators, namely; the degree to which the people have an input on the workings of government (voice-accountability); the levels of political stability and absence of threats to such stability; the effectiveness of public services delivery to citizens; the formulation and execution of sound social and economic policies; the rule of law in terms of respect for public institutions and regulations; the control of corruption as it relates to the workings of public office (Kaufmann, Kraay and Mastruzzi, 2010, p. 3).

**ii) The State**

The state has been defined as ‘the hub of all activities in the political system’ (Awa, 1996, p. 1). As a mirror of the nature of the power relations in the society, it is meant to serve the multiplicity of interests represented in the political arena. The state derives its legitimacy by securing the obedience of its inhabitants who view it as demonstrating the ability to pursue their aggregated aspirations and manage conflict among them. However, the state can also be viewed as an instrument of the governing elites who use it to articulate their interests and, by implication, manipulate the non-privileged classes into embracing their respective agendas. Generally, the state is a complex set of institutions through which the most influential individuals and groups express themselves. In a democratic setting, these institutions provide the groundwork upon which political, socio-cultural and economic decisions are made by a select group of persons on behalf of the rest. Based on the Westphalian concept, basic functions (as policies) are carried out to ensure a state’s survival, territorial integrity, promote the welfare of society and foster a desirable world order, as identified by Razvi (1964, p. 64) within and, in some cases, outside its recognised national boundary. The core function is the imperative for self-preservation amidst domestic and external threats. This function is the basis for national security.

**iii) National Security**

National security is a term that encompasses, to a more or lesser degree, the aspirations and activities of a country’s citizens which may and may not be incorporated into the strategic visions of its leaders. The concept of national security is anchored on what the leaders of the state perceive to constitute the national interests. This is driven by the considerations of its physical survival and territorial integrity, sovereign identity and political independence, as well as the quality of life for its population (Dimitrijevic, 1973, p. 11). National security has to do with the level of well-being of a country in relation to its internal and external dangers as translated into the degrees of stability and prosperity. Generally, the architecture of national security is a collection of all the policies of a country designed to deter, suppress, mitigate or eliminate both internally and externally-driven threats that negatively affect the stability and prosperity of such country. National security is multi-dimensional at the conceptual and practical levels. It is viewed as ‘a synthesis of political, economic, socio-psychological, military and geo-political strategies’ (Nweke, 1986, p. 3). This covers the political, social and economic realms of the state and the fabrics of the society. The problem of health epidemic such as HIV, Ebola, malaria or the phenomenon of famine or banditry are examples of threats that negatively affect the well-being of a country. National security can be conceived as a system that holistically performs a general function - the preservation of the state and creating the social conditions for national development.

A system is a set of interacting elements or aspects whose function is to preserve and nurture its collective whole. Each of these interacting elements has an impact on how the whole system functions (Ackoff, 1981, p. 15). The general function of a system is made possible by the roles of state institutions that collectively

contribute to the whole through the promotion of an atmosphere that prevents or mitigates the effects of threats to the survival and relative prosperity of the country. Security has been defined as 'freedom from danger, or with threats to a nation's ability to protect and develop itself' (Imobighe, 1990, p. 224). Accordingly, there exists a symbiotic relationship between security and development (McNamara, 1968, p. 150). In a reinforcement of this position Ekoko (1990, p. 18) agrees that 'as development progresses, security progresses'. The primary function of the national security system is to prevent or manage threats whether actual or potential to a country. The concept of security is seen as ambiguous and as such is categorised in objective and subjective terms which respectively imply an absence of both threats to acquired values and an absence of the fear that such values may be harmed (Wolfers, 1952, pp. 484-485).

### **Theoretical Direction**

The paper adopts the elite theory as the framework for explaining how the conduct of governance has affected the institutions of the Nigerian State in their roles and functions of promoting national security. Society is made up of the elites and non-elites (Mosca, 1939, p. 50). The elites are further divided into the governing elite and the non-governing elite (Pareto, 1935, pp. 1422-1424). The former are those who control the institutions of the state. As the major centre of power, the state (in Westphalian terms) is an allocator of values in the society where it is embedded. This allocation takes place within the context of the actors in the centre-stage of the political system. The state serves as a sort of 'weathervane' where its policy direction is the aggregate sum or outcomes of the power struggle of the most powerful groups in the society (Dunleavy and O'Leary, 1987, p. 43-47). These groups either shape the values of the respective constituents they represent or are platforms for articulating the various societal interests. This implies that the elite as a group, determines to a great extent, the character and capacity of the state to perform its domestic and external roles. This is corroborated by Joseph Garba in an examination of the elite role in nation-building:

The failures or successes of any nation reflect the aspirations and political astuteness of the elite in that country. If the elite are dishonest, selfish, myopic and preoccupied with political gamesmanship, their example will affect the standards of the national character of its citizens (Garba, 1995, p. 47).

Where the most powerful groups have 'captured' the state through its vital institutions and the larger society plays a marginal role, the 'autonomous' character of the state is relatively compromised. However, this capture is a means by which the legitimacy of the state grows or declines. The dominant character and actions of the governing elite who control decisions determine the legitimacy and by extension, the security of states. If they respect the rules of political contestations, such ethos would be institutionalised within the fabric of society and evidently, the institutions that constitute the state. On the other hand, the capacity of the state can be adversely

affected where the political elites, having sharply fragmented interests, engage in a cycle of zero-sum intra-class struggles for power. This is irrespective of the consequences it has for the ability of the state to carry out its basic function of promoting national security as a public good. As such, it leaves citizens (elites and their followers) in the polity worse off as when there is some consensus as to what constitutes the public good and how to pursue it.

It must be noted that values define how a state formulates, defines and pursues its national interests. Since politics has to do with the authoritative allocation of values (Easton, 1971, p. 128), it then implies that those who are in charge of national governance or in other words, control the commanding heights of the political arena of the state play important roles in allocating such values (as resources) in the society that they govern. The institutions in the political system function on the basis of the values (both tangible and intangible) formulated and allocated by those who control state power, the governing elites. As such, governance is central in shaping the way national security is promoted in a country and the manner in which a country is safe from both domestic and external threats is largely shaped by the conduct of governance by those who authoritatively formulate and allocate values on behalf of the larger society. Thus, it can be said that a nexus exists between the concepts of governance, the state and national security. The conduct and outcome of national security measures adopted by a country is, to a large extent, dependent on the way and manner the institutions of the state are managed by those who are in charge of the governance of the state.

### **The Character of the Governing Elites and the State in Contemporary Nigeria**

The advent of the Fourth republic in May 1999 created a historic opportunity for creating the secure environment for good governance, social stability and economic development in Nigeria. However, the quality of governance in terms of the ability to promote political stability, social cohesion and economic development has largely been abysmal. This is because the character of the governing groups and the roles of public institutions inherited from successive regimes have largely remained unchanged. In hindsight, the elite groupings that assumed control of the state after independence were described as being a fragmented lot whose management of the socio-economic relations has led to 'the persistence of certain forms of divisive cultural pluralism' (Ake, 1985, p. 110). In the same vein, former military dictator Ibrahim Babangida made a self-exposition of the nature of the governing and non-governing elites and their relationship with the larger society in Nigeria. He said:

It is the nature of the competition amongst us, the so-called elite, our far-sightedness and breath of vision or the lack of it, and our disparate definition of our genuine self-interest - narrow or enlightened - which have been at the root of our national problems.... We equate our ends with the ends of the groups and communities to which we belong. We mobilise others to fight for our individual causes, individual beliefs and interests as if those were their causes, beliefs and interests (Garba, 1995, p. 48).



This outlook has affected the conduct of governance in a number of ways. The first point is the issue of accountability by the elected leadership to their constituents who by the latter's consent they are supposed to exercise power in government. One of the key features in good governance is for the people to demand accountability from their leaders. This has been perverted by the cultures of cronyism, god-fatherism, nepotism and prebendalism. Instead of public policy promoting the aspirations of the people, the elected leaders view their constituents like conquered subjects who are mobilised along primordial lines to fight on their behalf in the struggle to have unfettered access to the spoils of political offices at the national and sub-national levels. Political actions that tend to indicate abuses in governance are often swept under the carpet through the theatrical displays of administrative and judicial inquiries which often end in nobody being held to account.

Secondly, there is the subversion by those in government of the rule of law and the spirit of constitutionalism. The relative non-compliance with judicial rulings and the culture of intimidating the judiciary with gratifications and threats has undermined the basis upon which democratic governance stands. In Nigeria, the fundamental public institutions that give the state its power and authority, are dysfunctional in the sense that they have been perverted to perform roles that are largely based on the whims and caprices of the fragmented and ideologically bankrupt governing elites who act with impunity. Thus, the politics of exclusion ensues where large sections of the society are deprived of the dividends of democratic governance. In retrospect, Awa (1996, p. 13) defined the democratic project in Nigeria 'as the government of the people by the elites in the interest of the elites'. The culture of prebendalism has played a central role in excluding large sections of society from enjoying the basic and ambitious privileges of citizenship. Consequently, this has created the socio-political conditions for the emergence of groups that harbour reservations about the basis of its commonwealth and often challenge its legitimacy and by extension, its internal sovereign power.

A third issue has to do with the governance effectiveness. The policies that are formulated have to be articulated and implemented by the public institutions. Since such institutions are relatively dysfunctional, the state is fragile and this implies that policy outcome often falls short of the perceived expectations of the people. In the same light, there exists an intractable cycle of expectations in Nigeria when a new leadership comes to power only for apathy to ensue when it fails to fulfill its promises of improving on the quality of the lives for the majority. The recent clamour in some quarters for the restructuring of the state is an extension of past agitations to address what is described as the National Question. Nigeria suffers from the symptom that has been diagnosed as limited statehood where governance has a fundamental deficit to enforce the laws and policies of the state within its internationally recognised boundaries (Risse, 2013, pp. 78-80). As a consequence, governance anchor on the continuous resort to the use of coercive measures in order to address threats is a clear indicator that the Nigerian state is politically unstable. The crises of terrorism, insurgency, organised banditry and communal violence are pointers to the symptom of political instability. The use of force at every challenge to the corporate existence

of the state is a major indicator of its low degree of legitimacy. The use of force is augmented with other acts that contradict democratic principles. This is clearly explained in a general observation: “the ruling elites of low legitimacy states find it, therefore, less destabilising to adopt neo-patrimonial strategies of power with their attendant prosperity for corruption, clientelism, nepotism, or regionalism” (Englebert, 2000, pp. 12).

In addition to the mis-governance trends, is the high culture of governmental corruption that is fully embedded in the institutions of the state and this cancer has become widespread in the society (Soyinka, 2012, p. 1). Some of the major practices include embezzlement of funds using cronies, personal abuse of official privileges, legalisation of superfluous expenditures, fraud, inflating budgetary allocations (padding) and coercing judicial officials to subvert the administration of justice. This is in contrast to the principles of accountability and transparency which is part of democratic governance. As one observer notes,

.....annual budgets which are long in figures but short in actual delivery, represent a funnel for appropriating the resources of the country by the tiny and exploitative elite.....Much of the monies are either stolen or mismanaged... through bribery, over-invoicing, dealing below the table, perversion of institutional processes... (Iyare, 2008, pp. 34 &39)

This has inhibited on the role of the most important public institutions of the state. and has gradually led to traces of limited governance not only in terms of the impact of the state on the well-being of its citizens but also the geographical and demographic spread of the benefits generated by governmental programmes and projects. Governmental corruption has been playing a major role in the erosion of confidence of the society in these institutions and thus, increased the propensity by frustrated individuals and groups to seek redress using divisive political and social platforms.

### **Governance of National Security in Contemporary Nigeria**

An important variable that shapes the national security of a state is for the political leaders of a country to formulate and execute ways of preventing, managing/mollifying or mitigating the effects of security threats that undermine the core national interests. The core national interests of Nigeria are based on constitutional provisions, verbal policy pronouncements by successive governmental agents and the various policy documents that culminated in the drafting of a national security strategy in 2015. In chapter II; section 14 (b) of the 1999 Constitution, one of the primary directives of the Nigerian State policy is stated as follows: ‘the security and welfare of the people shall be the primary purpose of government’ (Federal Republic of Nigeria, 1999, p. 10). The national security imperative and welfare of citizens are based on the core national interests. They are supposed to be non-negotiable. Such interests are clearly spelt out in a 95-page document that was unveiled as the national security strategy in 2015. These are: security and welfare of its people; sovereignty and defence of its territorial integrity, peace, democracy,

economic growth, and social justice. This document goes further to admit some important anomalies that the country is confronted with. These include the admission that the country is characterised by 'governance deficit, weak and inefficient institutions, a combination of which creates poor service delivery and service gaps leading to shocks, infrastructure challenges, disillusionment and frustration (Federal Republic of Nigeria, 2015, p. 6).

While the constitution, governmental pronouncements, series of legislations and the national security strategy are in principle, a series of efforts by the state to promote the safety and prosperity of Nigeria, the reality is a contrast of what are prescribed. The conduct of state power by successive leadership since May 1999 tends to indicate that national security challenges have increased not only in numbers but in intensities. The inverse relationship between governance and national security in Nigeria can be demonstrated in a number of ways.

One of the goals of governance in a democratic system is to create an atmosphere where citizens actively participate in the way they are governed. This is based on the principles of inclusiveness and accountability as prescribed in chapter II; section 14(c) of the 1999 Constitution 'the participation by the people in their government shall be ensured in accordance with the provisions of the Constitution' (Federal Republic of Nigeria, 1999, p.10).

However, the military bequeathed a political system in the Fourth republic that has largely excluded large sections of the Nigerian society from the workings of governance. The democratic project has so far been restricted to the electoral level and as such, the policies of the state especially economic reform measures are largely driven by elitist interests in alliance with Western governments and institutions. As Lewis (2006, p. 89) notes, the governing elites and the public institutions that they control have failed in the provision of the 'essential collective goods, such as physical infrastructure, the rule of law, or legitimate symbols of state authority and political community.' The outcome has led to a more or less fragmented minority of elites who manipulate the instruments of power for their own factionalised and parochial interests. As such, the legitimacy of the state in terms of the willingness of citizens to trust governments at the national and federating levels is low given the level of corruption and false promises by political elites. The intractability of the conflict in the Niger Delta and the proliferation of insurgent groups in other parts of Nigeria are manifestations of the legitimacy limitations for the Nigerian State.

Secondly, the quality of governance is largely characterised by the misconception of what constitutes national security. The physical safety of top government officials is synonymous with national security. The state merely looks at the symptoms of national security threats instead of the fundamental drivers of such threats. As such, threats such as high levels of extreme poverty, unemployment, illiteracy, disease are given less priority as evident in the annual budgetary allocations to healthcare, education and agriculture.

... politicians use every means at their disposal, including the use of force to pursue selfish interests.... government has...allocated very few resources to education, healthcare, economic infrastructures, and other

areas critical to growth and development (Asuelime and David, 2015, pp. 52-53).

These threats create the atmosphere for groups that either go into organised crime in the urban and rural areas of Nigeria or even contest the basis of Nigeria. The misconception of what constitutes security and the attendant security threats lies in the overdependence by the dictators of governance on police and military measures to address such threats instead on reexamination of the failure of social and economic policies that are vital to the foundations of the national security architecture. For example, the government tends to focus on expending large resources to acquire equipment for the police and military to use in fighting insurgents while paying lip service to the large number of out of school children in Nigeria. It is estimated that as at the end of the year 2017, there were over 10 million children who are out of school with about 60 percent in the northern part of the country ([www.unicef.org/nigeria/education.html](http://www.unicef.org/nigeria/education.html)).

In the same vein, the conduct of policing in Nigeria is largely based on the physical protection of the privileged groups who directly or indirectly control state power. A significant percentage of the police personnel are officially posted to serve as body guards to top government officials while the larger society have less access to police services.

Thirdly, the manipulation of ethnic and religious symbols as a basis for the intra-class struggle for political power has accentuated the level of social instability and thus undermines the corporate basis of the country. The struggle for power in Nigeria at various levels has witnessed the use of what Ekeh (1975) refers to as the 'primordial public' by the elites in their quest to protect or enhance their position in the political pyramid of primitive accumulation. In the same vein, there are evidences from the past that demonstrate how religion has been used by the governing and ruling elites in Nigeria to advance their interest (Usman and Alkali, 1987). In the Fourth republic, the manipulation of Nigeria's social cleavages can best be exemplified with the political Sharia controversy and other communal contestations that led to dozens of violent conflicts with high fatalities in some parts of Nigeria (Sani, 2007). As noted by an observer who established a correlation between intra-elite struggles for power and the conflagration of ethnic conflict in Nigeria, the aggregate character of the elite can be described as those

...who, through the patronage system, not only use their positions to reward their supporters from their own ethnic groups, but also use this power to construct and stir up discontent among peoples from various constituencies, especially in times when these so-called leaders/elites feel neglected and marginalized from positions of power (Adediji, 2016, p. 359).

Fourthly, the structure of the economy based on a patron-client system of rentier accumulation as a result of extractive production of a single commodity has further reinforced the instability and insecurity Nigeria's political space. The Nigeria

state raises the bulk of its revenues from oil exports but is faced with growing threats to its stability and corporate existence as it suffers from a developmental ailment known as the resource curse. "...valuable raw materials are discovered in a country lacking robust institutional safeguards, and the "rents" these resources produce rupture any contract between the rulers and the ruled" (Chayes, 2015, p. 122)

The way of generating revenue determines how far a country can manage its economic development and, by consequence, its national security interests. When the government relies on taxes from its citizens to function, the willingness of the citizens to fulfill their financial obligations will rest on the ability of the state to deliver the public goods that basically translate to relative freedom from economic, social and physical insecurities. However, when the government relies less on the citizens, there is a tendency for the governing class to impose their agendas for primitive accumulation and block the aspirations ordinary citizens from shaping the policies that emanate from the political system. As such, it gives some impetus for citizens to develop apathy towards state institutions which in turn leads to deligitimisation of the state. National security depends, to a great extent, on the level of political legitimacy enjoyed by the state in terms of the confidence citizens have on their leaders and public institutions.

### **Conclusion**

The paper examined the role of governance as in the behaviour of the elites in the management of national security in contemporary Nigeria. Despite the fact that democratic rule which resumed since May 1999 was supposed to usher in the principles of good governance for the promotion of the public goods, the outcome so far has been an adverse effect on the state of national security. The fundamental threats to Nigeria's core national security interests as in its unity, stability and prosperity lie in the relative absence of popular participation in governance, qualitative health-care and education, food, affordable housing, and employment opportunities. However, the character of the governing elites who control the instruments of state power has reinforced the ineffectiveness of the public institutions that are statutory established to promote political legitimacy, social stability and economic development.

The paper suggests that the country's democratic trajectory can be sustained only when the culture of good governance at the national and local levels emerges. Security can be promoted in an atmosphere of collective efforts by those who rule and the ruled when societal confidence in the public institutions of the state is restored. Finally, the structure of the political economy of the Nigerian State requires some adjustments in order to ensure that the majority have a stake in the generation and utilisation of the national wealth which for now largely remains the monopoly of the privileged groups in the society.

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## **Insecurity and Governance Questions in Africa: Re-Evaluating Security Policies for Enhanced Democratic Survival in Nigeria**

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### **Abstract**

*One of the greatest challenges confronting societies around the world is insecurity. The prevalence of insecurity has become widespread. It cuts across not only developing countries such as those of Africa, Latin America and Asia. The incidence of insecurity traverses beyond these climes and have affected even the most advanced societies. Nations of the world, especially those within the ambit of developed nation-states such as United States of America (USA), Germany, Britain, France, to mention but a few. The latter finds expression in the form of illicit and anti-social behaviours ranging from terrorism, drug peddling across geographical frontiers, sea piracy, suicide bombing, child abuse/child slavery, and several others. The multiplier effects of some of these problems have been, and indeed have continued to be the rising tides of socio-economic and political uncertainties witnessed by such societies in their candid attempts to frontally contain and confront the menace posed by insecurity. This study submits that in spite of security policies put in place by the government in African countries such as Nigeria through legislative enactments and several other regional/multilateral arrangements, the maladies of insecurity appears to be on the increase. This paper is a theoretical exposition of some of the existing literatures and works of eminent scholars in the broader discipline of security and governance concerns, not only in Nigeria, but Africa generally. The study therefore largely depends on documentary method. The work has revealed that although, there are governance structures put in place to deal with the trend of insecurity, it appears however that the situation has literally defied all available therapies. The paper sums up with viable policy alternatives for enhanced security checks by all stake holders in the Nigeria in order to guarantee good governance in the country.*

**Keywords:** Insecurity, Governance, Security Policies, Democracy, Democratic Survival

### **Introduction**

There is an obvious connection between poor governance and the rising tide of insecurity the world over. This is evident in developing nations, especially Africa, Latin America and the Middle Eastern region. Unarguably, poor governance characterised by weak institutions and unhealthy bureaucratic arrangements are basically some of the reasons why citizens carry arms against the state and its agencies. Thus, since the end of the cold war, there has been a dramatic increase in



the rate of insecurity. Most independent nations have been vigorously enmeshed in the web of conflict and violence. Some of the violent attacks emanates from either citizen's discontent with the nature of resource allocation or simply the desire of dissenting groups to go their own separate ways through opposition struggles. In either of the two extremes, poor governance structures appear to be the defining principles under which some of these situations occur. In Africa for example, several rebellious sects have emerged for decades now. They include the PKK of Democratic Republic of Congo, the El-Shabbab of Somalia, the Boko Haram sect of Nigeria, to mention but a few. Informed opinion has it that all of these belligerent groups and the reason why they have been on government's neck, and so, propelled insecurity is the direct function of the way and manner the incumbent operates. The dissatisfaction of some of the groups, mostly in Africa has caused a lot of socio-economic and political problems in large scale. Most often, we hear of massive killings through improvised explosive devises, kidnapping (probably for ransom), terrorism, insurgency, attacks on government major public infrastructures such as oil and gas, road network and even telecommunication facilities, among others. There is no doubting the fact that government's attention at all levels of course, as in the case of Nigeria and elsewhere, have been diverted in relation to serious commitment in the implementation of public policies for public goods. To this end, it has become increasingly difficult for government to fulfil election campaign promises because a large chunk of financial resources has been spent on frivolous targets then what the monies were meant to achieve.

In this paper, efforts have been made to conceptualize insecurity in the context of governance questions, especially as it affects the Nigerian nation state. The paper also examined some of the critical policy issues that have been put in place to ensure the survival and sustenance of the nation's democratic project. First, let us look at the basic concepts of insecurity and the crisis of governance.

### **Concept of Insecurity and Crisis of Governance**

Insecurity as a concept has been widely used depending on the standpoint of the scholar involved. In a common parlance, insecurity can be used to mean lack of safety, presence of danger or hazard. It could also be used to mean absence of basic necessities of life such as food, shelter and accommodation. Corroborating the above concepts of insecurity as the absence of basic existential of life, Beland (2005) has opined that insecurity can be used as direct opposite of security. He, maintained that insecurity is basically defined in the context of the state of fear or anxiety due to lack of protection. Taking a queue from Beland (2005), Achumba et al (2013) has rather seen insecurity in two dimensions.

Firstly, insecurity to Achumba is the state of being open or subject to danger, where danger is the precondition of being susceptible to harm or injury. In another dimension, insecurity essentially finds expression in the state of citizens being exposed to risks or anxiety, where the latter is more or less unpleasant emotions that one can experience or anticipate as a result of unforeseen circumstances. The position hold by Achumba about insecurity of persons or groups in Nigeria, as elsewhere,

underscore the fact that those directly or indirectly affected by insecurity are very likely to react to certain attenuating circumstances. First is to be able to resist any loss of opportunities accruing to them, and, secondly, is to strongly oppose any force which may become a barrier to the realization of the group's moral objectives in either ways, it is clear that over time, most societies had experienced skirmishes due largely to differences in ideologies between such sects on the one hand, and those of the general public (government) on the other hand.

In the case of Nigeria, Hassan (2014) has claimed that Nigeria is one of the most in secured territories in the world, He insist that in the last few years, the security environment of the Nigerian state has taken the turn for the worse. Thus bombing, killing, mass murder, kidnapping and abduction and other inhuman practices have pervaded the nation's landscape across virtually all the six geographical zones of the nation.

### **Insecurity and Governance Question in Africa: Matters Arising**

The study has established that there is a correlation between governance problems and some of the security challenges Africa and indeed Nigeria experiences at the moment. Some of the social science scholars that have examined the African problems overtime in terms of some of the events that have unfolded have agreed that the post-independent political structures have gone through diverse and precarious socio-economic and political conditions far worse that the period before political independence. To Mkandawire (1987) for example, the kind of hopes and expectations that followed most of the African and indeed, Nigerian state political independence from European colonial rule were very high. This was because to the average African citizen, political independence was expected to naturally bring about improvement in the living conditions of the people as opposed to the ugly experiences of the colonial period. Such living conditions as rightly pointed out by Nzogola-Ntalaja (1987) & Deakaa (2008) constitutes one of the basic human fundamentals. Essentially, some of these fundamentals find expression in some of the rights of persons or groups to express themselves as well as hold government to account for whatever might be their desired expectations as citizens.

However, it became clear shortly after independence that the kind of institutions, elite ideologies and some of the structures created as the off-shoot of independence were more or less designed for primitive accumulation. Therefore, for the better part of the post-independence era, African leaders had simply arrogated powers for themselves (at least for those who went through tortuous military dictatorship), or most leaders were simply doing the direct opposite of the principles and dictates of political leadership. Very frankly, it can be said that the rising expectations of the people to the extent that life after independence was going to better, was greeted with a corresponding rising frustration. This scenario literally cut down on the general hopes and expectations of the people. It is on this ground that Deakaa (2008) is quick to insist that:

The post colonial states in Africa, nay, Nigeria, has literally evolved a political class which was initially conjured by colonialism, but with

its own unique trajectory of socio-economic policies based on the unleashing of mindless neo-liberal ideologies and forces on its teeming population (2008, p.2).

From the above remarks, it can be deduced that some of the issues faced by Africa generally, and particularly Nigeria, reinforces itself in the kind of governance structures put in place. The issues could be examined in the broader area of socio-cultural, political and economic depending on the environmental exigencies at the time.

In the case of Nigeria, and indeed recently, the nation today faces the greatest security challenges ever since the erstwhile Nigeria civil war way back in the 1970s. Security in this context is multi-colored and can be used to mean social anomalies that have permeated the society in all ramifications. They include, but not limited to social vices like kidnapping, armed robbery, oil theft or oil bunkering, arson, internet fraud, ethnic and religious disturbances, rumour mongering, fierce political antagonism and opposition and, very recently, the Boko Haram terrorism. This is aside from the several boisterous agitations such as the local militia groups in the Niger Delta who until recently have transformed themselves into a revenge group as well as the Indigenous People of Biafra, among others. The activities of some of these groups have become common place in news reportage just as they have posed serious security threat to the nation at large.

Hassan (2014) has decried the enormity of insecurity in Nigeria when he noted that since the return of Nigeria to a democratic rule in 1999, the greatest quagmire to the nation has found herself in is persistent violent attacks from one part of the nation to another. Conversely, thousands of lives and several properties worth billions of naira have been lost. Some of the crises at some level aside from what has been stated earlier finds expressions in post-election violence, assassination, etc. However, the Boko Haram insurgency which is more or less recent has added another dimension to the nation's insecurity history. The Boko Haram insurgency which is basically found around Nigeria's north-east region and several parts of the North-Central geo-political zones has come with it the so-called Fulani herdsmen attacks. The latter has gravitated into a high scale guerrilla warfare where the characters involved unleash terror very swiftly and go into hiding leaving very little or no traces to security personnel in the country. The case of Fulani attacks as pointed out above appears to be a major national tragedy at the moment, and it does appear that government has literally given up in view of the inability of its agencies to bring to book the perpetrators of the dastardly act of mindless killings across the country.

### **Insecurity in Nigeria: The Manifestation of Crises of Good Governance**

As earlier pointed out, the Nigerian state has gone through tough times as far as security is concerned. The global security watchdog, Human Rights Watch has reported that several hundreds of thousands of people have been either killed, maimed or displaced from their places of residence due to mindless attacks by insurgents. The Nigerian news media and several other foreign media such as the British

Broadcasting Corporation (BBC), Al-Jazeera Television, Cable News Network (CNN) and hundreds of thousands of online media have been awash with the gory sights of killings of persons, especially women and children. From informed sources, as close as Jama'a, a Southern Kaduna state axis to the Federal Capital Territory, Nigeria's seat of power, recent events show that several persons have been hacked to death by herdsmen (Nairaland, 2017). The case of southern Kaduna massacre has been a recurring scenario. In most cases, information available shows that herdsmen sent notices of their imminent invasion of some of the villages to either traditional rulers or agent of states in the area. Within the shortest possible time, attacks are carried out leaving behind a huge array of victims who sometimes are horrifically mangled into pieces of human flesh. The only time government comes on board is to appear on local radio or television and appeal for calm. At most, the villagers are reassured over and over again that "government is on top of the situation" with little or no recipe available to keep the situation in total check. Aside from these recent hostilities between Fulani herdsmen and farmers have also claimed several lives in some parts of Benue state, and particularly Agatu local government area. The situation is not different even in places like Obi, Okpatta, Kadarko, Giza and several locations in Nasarawa state. The multiplier effect of all of these kinds of atrocities is that local indigene people can no longer access their farms with ease. The trend has continued unchecked while prices of staple crops in village markets have skyrocketed. The armies of unemployed youth already parading the streets has further risen to an alarming rate since all those meaningful engaged in peasant agriculture have been summarily upturned and uprooted from their homes.

One of the critical questions that have continued to bug the minds of scholars and experts in security studies have been that: how did we get to these present circumstances bedeviling the Nigerian state? What could have been the predisposing factors steering up this sort of ranchor? And who are the brains behind these malicious and ferocious act of terrorism and mindless injustice to follow compatriots? All of these questions and more have defied empirical answers not only to researchers, but also to those who are charged with the responsibilities of ensuring that security of lives and property of millions of Nigerians are respected and guaranteed.

To be sure, it does appear that the problem of corruption which of course is the foremost Nigerian disease is still the nucleus of all other problems hindering the nation's security apparatus. The Nation (2014) & Ross (2014) have agreed that due to share impropriety showing itself by way of massive corruption, laxity and non-commitment of resources over the years to security infrastructure and manpower, the security agents such as Police, Navy, the Nigerian Army and several other Paramilitary bodies have become a shadow of themselves, leaving defenceless Nigerians to their own fate. It appears that in view of the security concerns in the nation, there is no equivalence between the actions of the Nigerian security apparatus and those of the insurgent groups. It is worrisome to hear people say that the weapons used by insurgent groups such as automatic riffles, ravolvers, machine guns, etc, are much more higher in quality than those been handled by government security forces. This

begs the question: whether it is possible that individual citizens whether politicians or terrorists are the ones in total control of the nation's financial system to be able to purchase high calibre weapons or the government itself? It is also problematic when one is compelled to reason that politicians who have served, or are still serving in government (who probably have been fingered to be responsible for some of the crisis today just for selfish political gains). Some of those people now appear to have huge financial clouts with which they can simply ship arms and ammunitions to the country unchecked. Some of the cache of illicit arms illegally imported into the country have become weapons the citizens use to kill themselves and further create opportunities for their political godfather to win in subsequent elections.

The most worrisome of it all is that no single arrests have been made even when it became clear that those masterminding illicit importation of weapons into Nigeria are the so-called "big men" in the corridors of political powers. From popular views, especially by those who are particularly front liners in the political scheme of things, some of the major attacks that have been carried out, and therefore have become recurring decimals in many localities are so because a certain politician wants to cause instability in communities he or she has little or no support base. This way, political crises and blood-shed will be a potent weapon to keep people permanently out of their communities where their voting rights are domiciled. It is therefore difficult to vote in another location for or against the same unwanted candidate when duly registered voters have been disenfranchised already.

As earlier pointed out by the Nation and Ross, the embers of corruption and malfeasance in the political landscape has grossly undermined government's fight against insecurity at whatever level of analysis. Despite the fact that since the inception of democratic governance in 1999, billions of the fiscal budget have been massively voted in the nation's defence system, corruption has prevented supplies of basic military hardwares to security agents including the Nigerian army who are at the fore front of the war on terrorism.

According to Timanus (2014) cited in Hassan (2014) the implication of lack of weapons of warfare for security men and women could result to how morale of some of them. At some level, general security personnel at the war front deserted their constitutional duties thereby running away from the insurgents. For example, it has been reported that sometime in May 14, 2014, the General Officer Commander's car in charge of 7<sup>th</sup> Division was reportedly fired by some soldiers. Their grudges were that the GOC failed to ensure that the right kind of equipment got to their units so they could submerge the terrorists who were practically over-powering the lesser powers of the Nigerian army in battle. The aftermaths of this incidence brought about the death of several Nigerian soldiers in the process. The death toll from informed sources affected not only the junior cadre at the war zone. It also affected senior army officers who were either arm-bushed or killed on their way through land mines strategically buried on path-ways around danger zones.

As a result of the corruption in the nation's security concern, it has been difficult for foreign government to intervene or try to help quash insecurity generally. It was Timanus who once reported that the then United States under Secretary of

State for Civilian Security, Democracy and Human Rights, Sarah Sawall, in May 2014 informed the American House Committee on Foreign Affairs that entrenched corruption and incompetence in Nigeria has been a major obstacle on the way of the Nigerian armed forces in their bid to wiping off Boko Haram. This statement no doubt, brought about wrong impression on the Nigerian state generally. The decision of both the American government as well as Britain to station their surveillance air crafts and personnel in Chad and Ghana, instead of Nigerian at the time speaks volume. The move was made to be able to track the missing young school girls who were abducted in their dormitory in Chibok Secondary School in Borno state by Boko Haram terrorists. It is on this premise that Odusile (2014) argued that this kind of body language by foreign government expresses the lack of confidence they both have on the Nigerian nation and its people.

From some of the events that have unfolded in the recent past in Nigeria, public commentators and analysts have criticised the seemingly cold response of government to some of the security threats in the country. For example, the then president's action after the April 14, 2014 Nyanya Car Park bomb blast and his reaction to the April 15, 2014 mass kidnap of over 200 Chibok School girls in Borno state. Each of these incidences and the nature of government's response depicted an action that does not show commitment. The matter was further compounded when the presidency was alleged to have sent in presidential aids, party stalwart and even the president's wife as foremost delegate to the scene of the incident. Worse still, there was a general impression that nothing like kidnapping of Chibok School girls ever occurred. In this regard, Haruna (2014) noted that what the PDP administration believed then was that the arch enemies of the party (PDP) may have cooked up stories geared towards painting the administration in black colors, and therefore portray it as incompetent, indifferent and heartless. Arguing further on the reluctance of the president on the abduction of Chibok School girls, Haruna then concluded that:

This is probably the reason why it took the President more than two weeks to speak publicly on the kidnapped girls. It was the international pressure driven by the '#Bring Back Our Gils' campaign crusaders led by Dr (Mrs) Obi Ezekwesele, one of Nigeria's former cabinet ministers during the erstwhile President Olusegeun Obasanjo's administration that made the then president, Dr Goodluck Jonathan to finally accept intelligence and surveillance assistance from United States, Britain and France, China and others (2014, p.15).

It can be inferred from the above analysis that government, in the first place did not believe that abduction took place. The first impression after the whole thing was namely that it was part of the strategies of 'mischief makers' in the then All Progressive Party (APC) stalwarts acting in the opposition line to bring down the ruling party, the People's Democratic Party (PDP). However, all of these residual disbeliefs were later laid to rest because of the emergence of reports of the presidential fact finding committee on the abduction which confirmed that a total of 276 students from the Chibok Secondary School were missing. The commentaries

given above shows few cases of some of the absurdities that had taken place in Nigeria in recent times. The list will be incomplete if mention is not made about the spate of killings that has come to be identified and known with the current APC-led government of President Muhammadu Buhari since 2015.

As earlier pointed out in the study, several communities in Nigeria have been ransacked by the rampaging so-called Fulani herdsmen. The herdsmen are known to be immigrants from neighbouring countries infiltrating the Nigerian soil in search of pasture for cattle grazing. It does appear that due to the rising environmental degradation owing to global warming as well as competition for scarce land resources, the herdsmen had had to grapple with indigene people for some of the available spaces (Atche & Okoli, 2014). The friction that have been generated out of this skirmishes have become a major predisposing factor for perennial violence and clashes between the supposed herdsmen on the one hand, and the locals in some parts of the country. A typical example remains the gory experiences of clashes around Nasarawa, Benue, Taraba, Delta, Imo, Enugu and other states, with scores of persons hacked to untimely death. According to Timawus, the herdsmen crisis pre-dates the 2015 era. Timawus has gone further to say that some of these clashes would have been prevented if government had implemented the policy recommendations of the erstwhile Sheikh Ahmed Lemu led presidential committee. The panel was mandated to investigate the 2011 post-election disturbance in some parts of Northern states. As stated earlier, the outcome of the investigations revealed that the main cause of herder/farmer clashes was because of destruction of cultivated crops by Fulani herders. From the issues raised above, it can be understood that both APC (now the ruling party). The similarity between them is the politics of 'blame game'. This attitude practically characterizes the Nigerian system where the party in power, instead tackling its own challenges, rather resorts in picking holes with the lacuna created by the previous administration. Hassan (2014) lamenting on the case of blame game which has taken the place of focused and good governance argued that:

The level of insecurity, no doubt, is alarming and in the face of all these, the government which has the constitutional mandate and constitutional responsibility of securing the people, and insecurity apparatus, seems to be displaying gross inadequacies terrorism ravaging the country. Instead of government to present a unified front with opposition in the face of security challenge it is more concerned about blame game (2014, p.15).

## **Conclusion**

The paper has examined the nexus between poor governance and insecurity challenges, not only in developing countries, but also in developed nations of the world. Most specifically in Nigeria, the paper argues that the continuous quest by the leadership for primitive accumulation, selfishness and corruption are largely part of why insecurity thrives in modern day Nigeria. Some of the cases recorded at various flash points known to be violent-inclined, investigations show, are primarily due to age-long neglect of the locals by those saddled with the responsibility of equitable

distribution of the nation's commonwealth. The obvious dissatisfaction and disaffection of the less privileged in society in Africa, and particularly in Nigeria has been at the root of security challenges today. Most public policies in some of these African nations (Nigeria inclusive) are more or less carried out in the breach rather than observance. Several election campaign promises are not kept. Public laws that should be able to effectively check security concerns such as anti-terrorism and anti-grazing legislations are toyed with and so, the end of the resolutions produce little or no remedial measures to fix spiralling security challenges. In fact, some of the policies enunciated by the government since political independence in 1960 have only worked on paper. The people are essentially excluded in the scheme of things, which informs the numerous problems cropping up in the nation and elsewhere today.

### **Recommendations**

As part of the recommendations for this study, it is clear that government has not done enough to keep the security. There are still a lot to be done to breach the burgeoning gap between the challenges of governance and the boomerang effects on the general welfare and security of the people. Good corporate governance has to be re-defined in Africa, and particularly Nigeria. There is need to further deepen democracy and its tenets. This can happen where sovereignty rests squarely on the hands of the people.

This means that the people should be allowed to be in charge of the government structures, determine the direction of affairs of state and even determine how resources are mobilized and distributed. This way, government takes a horizontal and vertical directions with vast proportion of the paraphernalia of control of state in the hands of majority. Again, government should clearly demarcate and assign herdsmen to specific areas around the country where they can conveniently carry out their grazing rights without hindrances. Besides, those behind most of the attacks should be fished out and punished accordingly. From some of the investigations carried out about the clashes, it appears that the whole affair have been politicised. If this is the case, thorough forensic investigation should be carried out by both local and foreign experts to check the excesses of die-hard politicians. In case certain cabals are involved in the unrests, they should be fished out and punished irrespective of who they are and where they are coming from. This way potential war mongers will be kept in check for overall peace, stability and continuity of the Nigerian state.



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## **Great Powers-Africa Relations and Responsibility to Protect: Extrapolations from “Operation Serval” for Africa’s Functional Security Architecture**

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### **Abstract**

*Great powers share asymmetrical relations with African countries. French ‘humanitarian’ intervention in Mali under Operation Serval in 2013 (EU Peace and Security Commission, 2013), with recorded higher rate of failure of interventions to achieve its goals (Sullivan and Koch, 2009), was a new twist in Africa’s security dilemma that provides necessary ground for the re-examination of security relations between Great Powers and Africa, particularly the nebulous ‘responsibility to protect’ (Brown, 2013) in the face of emerging global threats. Our broad objective is to unveil the motivations of French intervention in the operation to underscore great powers’ politics of humanitarianism. The primary objective is draw lessons from great powers’ humanitarian interventions in African countries for regional security reform. With the use of ‘security dilemma’ as a specific analytical tool of realism theory, we concluded that Africa has the potential to solve its security problems should the regional middle powers unify existing regional economic communities (RECs) and establish functional African security architecture.*

**Keywords:** great powers, humanitarianism, responsibility to protect, operation séral, security architecture

### **Introduction**

Since the first ‘Geneva Convention’ in 1864, and later the adoption of the International Committee of the Red Cross (ICRC in 1876), global mankind has witnessed flourishing government and non-government organisations designed to mitigate “insecurity and fears associated with war, natural disaster and lack of development” (Brown and Hanlon, 2013).

Yet, African is overwhelmed by transnational threats, fears or insecurity associated with crises and wars of various dimensions, resulting from large tracks of ‘ungoverned spaces’ (Chafer, 13 April 2016; Lyman and Morrison, 2004; Klare, 2006: 116; Johan, 2003: 53; Piazza, 2008; Hehir, 2007; Plummer, 18 November 2012; Bilgin and Morton, 2004; Messner, 2011: 8; Harrison, 2006, Muller, 1987; Yvan, 2013; Zartman, 1995) and rise of non-state actors, including violent extremists and transitional criminal organisations as a post-cold war paradigm and driver of change that has reshaped the traditional notion of national, regional and global stability under the doctrine of humanitarianism or ‘Responsibility to Protect’ (R2P) (Brown, 2013: 6-10) as was in the case Iraq (Bellamy, 2009: 113) and the 2013 French Operation Serval in northern region of Mali (Nossiter et al, January 1 2013: 2;

African Union Peace and Security Council, 2013: 22; Nelson, 22 September 2016; UNSCR, 2085).

Great powers' military intervention under the doctrine of R2P is increasing more in African former colonies, and failed or failing states despite the controversy surrounding doctrine on the United Nations (UN) agenda and its limited applicability on only four limited areas of specific crimes and violations such as genocide, war crimes, ethnic cleansing and crimes against humanity (Hanlon, 2013: 74).

France is, militarily, the sixth most powerful nation in the world, with large and modern conventional force, credible nuclear deterrent arsenal and is both "powerful and active in the realm of military affairs, especially when it comes to Africa" where it had colonial possession (Carpenter, 2 May 2014). Since threats are determined by great powers (Soltani et al, 2014: 168), the anxiety is that the non-functionality of African Standby Force (ASF) and the presence of "agents of post-colonial imperial values" (Anselm, 2002: 12; Arieff, 2002) in the face of increasing transitional threats (EU Peace and Security Council, 2013: 59) could promote "militarism in the guise of humanitarianism" (Berschinski, 2007: vi) and increase great powers' intervention, combatant commands (COCOMs), and military bases in the continent as French "Operation Serval" in Mali demonstrates.

We shall attempt the contextualisation of factors that underbelly the Malian crisis, unearth the motivations and *modus operandi* of the French-backed Serval, extrapolate from the French' and other great powers' military interventions on African countries, to underscore the potentials of Africa's regional middle powers to pull resources to establish functional African security architecture to shoulder the R2P African countries. The study draws extensively from 'security dilemma' as a specific analytical tool of realism theory.

### **Background to the Malian Crisis**

Malian crisis followed remote and immediate factors, particularly history, culture, political and economic milieus of the aboriginal peoples accentuated by post-independence maladministration, ethnic marginalisation and aggression.

### ***Clash of Civilisation among the Aboriginal Peoples***

The Soudan Français (French Sudan, or Western Sudan, not the modern country, Sudan), was under French rule from 1892 to 1960, when it gained independence. Kanya-Forstner, cited in Jones (2002), argued that the conquest of French Soudan was considered counter-productive to France *mission civilisatrice* (civilising mission) because the major object then was not military conquest but peaceful conquests of commerce and industry which were controlled by powerful kings such as Sundiata and Mansa Musa.

Between 1948 and 1968, Mali inherited the Tuareg, following division of Tuareg territory into the new independent countries of Algeria, Burkina Faso, Mali, Niger and Libya in the 1990s. The different tribes and competing nationalities, i.e., the semi-nomadic Tuareg and the broader populace of Mali were enmeshed in "Clash of civilisation" (Lococq and Schriver, 2007; Schofield, 18 January 2013), between

“segmentary societies” and the Tuareg were perceived as “racist slaveholding warmongers”, ‘anarchist’, ‘lazy,’ and dangerous against the government and the broader populace of Mali.

### ***French and Neo-colonialist Impacts***

The historical and cultural challenges of the Tuareg were facilitated by “past extraversion strategies” (Bergamaschi, 2016:6) of the neo-colonialist Washington-led International Financial Institutions’ one-size-fits-all models and policies sowed seed of corruption, poverty, marginalisation, underdevelopment, breaches of sovereignty and foisted social, political, economic, and ethnic challenges on the peoples. The neo-colonialist system culminated into shaping the government’s “strategy of compliance towards donors” (Bergamaschi, 2016: 9 and 25) and occasioned weak impoverished and ungoverned space for terrorists, tyrants, and international criminals in Mali.

Governor Bakary Diallo captured Malian French colonial policies in the Sahara, and its social and political outcomes, strongest terms: The colonial regime “entrenched a prejudicial policy towards the nomads, of which the consequences are now fully visible. The colonial maniacs, in love with exotism, wanted to preserve the nomads for anthropologists, berberophile ethnographers, and Orientalist scholars exasperated by the XXth century, for whom an island of men untouched by the pollution of progress had to be found, so they could inhale the delicious perfume of antiquity from time to time (Diallo, 1962).” Dialla contended that while everywhere else the first act of the colonial regime was to suppress slavery, the French authorised the white nomad to keep his black slave called “bellah.” The nomad was dispensed from military service and education. The situation accounts for the nomad society, as it was left by the colonial regime, with problems in light of the objectives of Mali’s socio-political programme.

The nascent state structure created and foisted on Mali, raised socio-political and economic issues which led to the first coup in 1968 (Wallerstein, 1 November 2013) and another coup in 1991 that institutionalised political and bureaucratic power in favour of south ethnic groups of 40 per cent population over 60 per cent of the predominantly Tuareg north.

### ***Siamese-Twin of Poverty and Corruption***

Mali is one of the world’s poorest countries and ranks 176 on Human Development Index (<http://hdr.undp.org/en/countries/profiles/MLI>), 182nd of 186 on corruption index (Allison, 1 July 2014), and 77th out of the 177 countries listed in the Fund for Peace’s proprietary Conflict Assessment Software Tool (CAST) analytical platform, on the failed state index 2011 ([www.fundforpeace.org](http://www.fundforpeace.org)). Mali’s economy depends on gold, cotton and aid from the western countries, resulting to complacent, corrupt, weak and ineffectual democratic government that finds it difficult to deliver development to the people.

### ***Ethnic Deprivation and Aggressive Rebellion***

Ethnic subjugation and deprivation sowed seed of frustration-aggression in the Tuareg, most of who had to emigrate to Libya and Algeria, joined Tuareg population and secured employment in the Libyan military establishment (Wallerstein, 1 November 2013). Since the first Tuareg rebellion in 1960s over their socio-political and economic inequalities, there has been continuing discontent in 1963-1964, 1968, 1990, 1991, 2006, and 2011-2012. In 2011, the crisis took moved from spoils of the state into struggle for power, wealth and position and unilateral declaration of the state of Azawad by separatist groups. In 2012, Mali passed through tragedies of rebellion, civil war, military coup and *de facto* secession of the north (Allison, 1 July 2014), ostensibly because agreements signed to end these conflicts were only partially implemented (SIPRI, 2015; Amedzrator and Avoxe, 2016).

### ***Islamic Religious Contact with Fundamentalists***

The Tuareg nomadic pastoralists located predominantly in Tessalit, Gao and Kidal in the north had contact with both the *Group Salafiste de Prédiction et de Combat* (Salafist Group for Preaching and Combat, GSPC) that were pushed out from Algeria in the late 1990s and militant Islamist movement who also were inspired and funded by Saudi Wahhabi Islamic fundamentalists' preaching of jihad against the West. The GSPC merged with al Qaeda in 2006 and formed al Qaeda in the Islamic Meghreb (AQIM) in 2007 (Giudicelli, 29 April 2013). AQIM, allied with three jihadist groups (Ansar Dine, **MOJWA**, and National Movement for the Liberation of Azawad, MNLA), boosted in their operation by leaders of different Tuareg factions - Mohamed Ag Najein and Bilal Ag Acheriff (two former colonels in Ghadaffi's army) – who formed the MLNA in October 2011 (Notin, 2014: 61-62) and heavy weapons and ammunition from Libyan caches.

### ***Politicisation of Drought in the North***

The central government with due diligence to practices of political and economic marginalisation of the north in the multi-ethnic political arrangement in Mali, demonstrated lack of interest to develop the northern part of the country and overstretched the politicisation of drought and famine that occurred as a result of drop in rainfall to 30 percent since 1998, decimated animal herds, lowered prices for livestock and salt, major sources of rural wealth and sustenance of the nomadic communities of the north, and by extension, caused untold economic hardship that placed some 270,000 of the northern population of Mali under chronic hunger. Steve Harmon of the Pittsburg State University sounded alarm: "The droughts of the 1970s and 1980s in the Sahel were kind of the canary in the coal mine for climate change (causing violence)."

### ***Interdependent World System and Transitional Threats***

The Malian political and security crisis recreates mutual dependence within and between social actors in a situation of growing sensitivity and vulnerability (Zürn, 402) in specific issue-areas (Morse, 1976:118) such as economic or security

interests of states, where states depend on decisions of governments in neighbouring states under sensitivity interdependence (Keohane and Nye, Jr., 1977: 12-15). The terrorist threat in Mali is a transnational or global, in character, which “cannot be solved by one or through bilateral relations” (Akpuru-Aja, 2015: 42-52) alone, but better, through multilateralism in an all-inclusive institutional framework, especially when it is perceived by great powers of Europe and America that national [Malian] government cannot protect the human security of its citizens (Muellen and Putten, 2009: 6).

#### ***Failure of Intelligence Management***

Failure of intelligence analysis at national, sub-regional and regional levels of the early warning notices by Mali, Economic Community of West Africa States (ECOWAS), African Union (AU) and the interests of great powers in Africa contributed to the choice of third-party military intervention as a viable strategic option to solve Mali’s political and security crisis under French Opération Serval.

#### ***African Leaders as Agents of Imperial Powers***

Some pliant African States such as Niger and Burkina Faso authorised deployment of foreign surveillance drones for intelligence-gathering to boost counter-terrorism efforts against cross-border activities of Boko Haram and other extremist groups in West Africa that are affiliated to al-Qaeda and similar sectarian groups. Most African leaders are “agents of post-colonial imperial values” (Anselm, 2002: 12), and more, ECOWAS reliance on great powers, for assistance to prosecute security operation in Mali was feared to degenerate into counter-productive ‘intelligence collection activities’ (Arieff, 2002).

Indeed, the remote factors to Malian crisis can be traced to the historic-cultural, political and economic nuances of the aboriginal peoples facilitated by fragile state structure of suspicion, misperception, hatred, aggression, corruption, subjugation, underdevelopment, bequeathed to independent Mali by the French through policy of paternalism referred, defensively as *afriçafrique*, and promoted by the nebulous doctrine of “Responsibility to Protect” (R2P).

#### **Contextualisation of Security Threat of Malian Crisis**

American-trained Captain Amadou Hayer Sanogo’s army ousted democratically-elected President Amadou Toumani Toure (ATT) from power on 8 April 2012, captured part of the northern region, declared independence of state of Azawad, and was unwilling, despite pressure, to restore democratic governance and institutions in Mali. Worse, the capture of Kidal, Gao and Timbuktu, in two days (30 March and 1 April 2012) and push towards Bamako by Tuareg rebels, was perceived by great powers as a move to put Mali under the control of a ‘terrorist state’ (Wing, 2013), where drug trafficking, religious extremism and other organised crimes would flourish (Smith, 2014; Bergamaschi and Diawara, 2012: 142; Farhaoul, n.d.), with weapons looted from Gaddafi (Oberle, 14 March 2014). To paint a picture of democratic governance, Sonogo, on 12 April, swore in the president of Malian

parliament, Dioncounda Traoré as president of transitional government of national unity (GUNT) in Mali.

Malian crises and its threat to the oil companies in the Sahara region kept other oil companies on their toes to exterminate the danger from reverberating through global energy industry. While the U.S. Assistant Secretary of State for African Affairs Johnnie Carson posits that the Malian crisis “constitutes not just a threat against a sovereign state but potentially a transnational threat that can move across the borders into Niger, Burkina Faso, Mauritania, Senegal as well as Algeria and other places” (*The Nation*, 2013:3), UK affirmed that Islamist rebellion poses a “direct threat to international peace and security” (Tisdall, 14 January 2013). The contextualisation derives from the presence of five Islamist groups in Mali:

- (i) the Harakat Ansar Dine, led by Iyad ag Ghali, a movement for defenders of faith;
- (ii) AQIM, led by Algerian Abu Zeid, to spread Jihad to West Africa and Maghreb regions;
- (iii) MOJWA, a splinter group, formed from AQIM, to spread Jihad to West Africa rather than confine itself to the Sahel and Maghreb regions;
- (iv) the Signed-in-Blood Battalion, led by Algerian Mokhtar Belmokhtar, for narco-terrorism, transnational crime and terrorism, spread of Islamic religion, formulation of transnational policy, etc., and
- (v) *Mouvement National de Libération de l’Azawad* (National Movement of the Azawad Liberation), or MNLA, led by Bilal ag Acherif, a secular group for the liberation of Azawad.

Part of the global anxiety and threat-perception was the movement into neighbouring countries by AQIM members from Algeria to share Ansar Dine’s goal of replacing the “Sahelian” governments with proper Sharia states (Porter, 1 February 2014; Cyril, 8 February 2013) in Mali and attack the west (Schofield, 18 January 2013) through transnational terrorism. The texture of terrorism in Malian crisis spelt grave danger to the state, Sahel region, West Africa, Africa, and the world, in general.

Malian Foreign Minister, Tieman Coulibaly (2013:2) agrees that the presence of Islamists linked to al-Qaeda in the north of Mali constitutes “global threat” and stated: “Today, its a question of mobilising the international community in its entirety to come to our help in our country, but also to come to the aid of the whole region because what is happening in Mali represents a global threat.”

For most African countries who naively, helplessly and hopelessly brooked the contextualisation such as Nigeria, Chad, Senegal, Togo, Mali, and most great powers, for example, France, United States and EU countries, the terrorist threats, from the hindsight of long association, training and funding of Boko Haram’s insurgents in northern Nigeria, coupled with the reaction of AQIM leader, Mokhtar Belmokhtar, in the killing of 37 expatriates and workers in the Algerian hostage crisis at the *In Amenas* gasfield, Sonatrach, home to foreign workers from British BP, Norway’s Statoil, Japanese engineering firm, JGC Corporation and others (CNBC, 29

January 2013) were issues that cast the Malian crisis in international lens as grave terrorist threat beyond the capacity of African security management.

The contextualisation of threat posed by the Islamists in the Malian crisis was easier given that terrorism and security are concepts of highly diffused meanings (Eke and Ezirim, 2015). Analysts, for example, Wing (2016: 59) agrees that the conflict in Mali was “decontextualised and framed within the ‘war on terror’, since what constitutes global ‘security’ is the preserve of great powers in the United Nations Security Council.

### **French Motivations in the Malian Crisis**

The French knew African region lacked the capacity to contain the crisis in Mali and had planned for Plan B, as a quick response measure to avoid collateral damage. On 11 January 2013, the French President François Hollande gave executive order for France military to commence ‘Opération Serval.’ Paris stated that Serval was driven by four humanitarian objectives, to:

- (i) halt the advance of extremists and reinstate Malian sovereignty from the breakaway north;
- (ii) strike terrorists’ enclaves and disrupt their operations;
- (iii) protect the country’s capital, Bamako; and
- (iv) set the conditions for a UN mission in the country, a European Union Training Mission (EUTM – a prototype used in Somali), for free and fair elections by July 2013 (Nelson, 22 September 2016).

Though the French stated the ‘overt’ humanitarian objectives; it left out the ‘covert’ strategic objectives. The unstated strategic objectives of the French intervention in Mali include, to;

- (i) take a pound of flesh on AQIM;
- (ii) protect energy security; and to a lesser degree,
- (iii) project geo-political power.

### ***Take a Pound of Flesh on AQIM:***

AQIM’s hostage-taking of French nationals and others were vital to the national interests to the great powers thus the quick branding of the Islamist leaders as ‘terrorists’ (U.S. Department of State, 2013) for a pound of flesh for kidnapping four French nationals - Michael Germaneau, a 78-year ‘humanitarian’ worker, Antoine de Léocour and Vincent Delory, both 25 years, and Sophie Pétronin - which cost France \$17 million ransome-payment in 2010 (Huddleston, 2013; *France Diplomatie*, 24 December 2016).

The French reactions were to avoid double jeopardy of: (i) hostage-takers successfully taking the hostages to one of their refugees in the Sahel; and (ii) sending the signal that France is no longer fighting terrorism (Juppe, 9 January 2011). It was also feared that when AQIM goes global, “the most likely target would be France, the former colonial power of the region” and the U.S., a formidable ally of France (Schofield, 18 January 2013).



### ***Protection of France Energy Security***

In the mid-1950s, France was “reluctant to grant full independence to the Saharan possession” because of the discovery of mineral riches in the region (**Lococq, 2013:20**) and energy security. Jean Batou Professor of History at Lausanne University asserts that the French intervention is ‘a new scramble for Africa’, under neo-colonialist policy of *francafrique* (Yves, 1982: 144), and in the case of Mali, using the fallacy of Africa’s ‘ungoverned spaces’ theology (Yvan, 2013) to weld strong coalition, intervene and play the geopolitics of extra-regional great powers in shaping events in the Sahel under the guise of curbing terrorist insurgency and by extension, consolidate its deep economic and political relations with Africa that dates back to the 17th century.

Incidentally, the Sahel and the Horn of Africa are the twin hotspots of Africa, where “... Europe touches Africa and where Africa touches the Middle East (Comfort Ero, in Anyadike, 15 February 2017; Roca, n.d: 1) and Mali has valuable geographic setting and whoever controls it, controls West Africa, if not the whole of Africa; losing Mali will spell a bad omen to the French. Central Intelligence Agency (CIA) *Factbook* reinforces that Mali is a strategic gateway to Africa’s riches; it has nearly \$2 billion of investment potential in oil and gas by 2036; and hosts approximately 30% of the earth’s remaining mineral resources, particularly the North Africa’s vast oil and natural gas deposits, and Sahara houses most strategic nuclear ore, and resources such as coltan, gold, copper, etc] (*Aljazeera*, 13 May 2017). *Think Africa* argued that France intervened to help carve out its position into ongoing oil exploration which was begun in Northern Mali since 2005 because the presence of oil resources has been suspected for a long time but “never clearly and formerly established” (Bergamaschi and Diawara, 2014: 141).

France energy security was threatened by the crisis and it intervened mainly to protect the Areva Uranium plant in Niger which is heavily depended on by the French for uranium from its existing two mines to consolidate its position as the ‘largest exporter of electricity in the world (Francis, 2013: 7). It became obvious that France did not intervene in Mali, when the country did not have “known profitable oil reserves” (Bove, Gleditsch and Sekeris, 2014: 4).

The foregoing developments explain clearly France strategic as well as humanitarian objectives of the great power military intervention (Kim, 2012) led by France under Operation Serval in Mali.

### ***Projection of Geo-Political Power***

France used the Malian crisis as a strategic opportunity to consolidate its interests in its former colony by supporting its protégés (Findley and Teo, 2006) to win the war so as to influence Mali’s “post-war policy” (Gent, 2008). Howbeit, Opération Serval was a “hybrid approach” (**Hadzi-Vidanovic, 2013**) meticulously constructed around a tripod of self-reinforcing interpretations of international law, notably the collective self-defence, a broad interpretation of UNSC Resolution 2085, the consent of the Malian authorities, and if we add a fourth, ‘Responsibility to

Protect' (Christakis and Banellier, 2013) its past colony (Findley and Gent, 2008; Council of the European Union, 5 December 2012).

The French President Francois Hollande viewpoint shared by other nations in the multilateral intervention in Mali was that the risk of intervention was preferable to possible outcomes of inaction or put differently, the logic of non-indifference or non-avoidance in the face of terrorists-aggression was better than non-intervention. For France, it had to act to stop the creation of "a terrorist state at the doorstep of France and Europe" (BBC, 17 January 2013).

### ***Modus Operandi of 'Opération Serval' in Mali***

Serval is a name of African wild cat, used by the French to denote an operation that shifts as it develops from an intervention mission. Mali's crisis attracted multi-dimensional forces, with the presence of troops from military blocs including French-Chadian coalition, Malian Armed Forces, ECOWAS, AFISMA, and the United Nations-led Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA), Operation Barkhane, European Union Training Mission in Mali (EUTM-Mali), etc., in conjunction with French-led 'Operation Serval' or 'Wildcat'. Howbeit, France was only an interested party to the crisis which viewed security in African continent as its primary responsibility to protect, based on:

request of and with our African partners, and, of course, acting in accordance with international law... Given its [France] historical ties with the continent, France cannot remain indifferent towards anything taking place in Africa. Each time it is needed, France has assumed its responsibilities in Africa. When Bamako ran the risk of falling into the hands of terrorists, we shouldered our responsibility. When the threat of genocide arose in the Central African Republic, we assumed our responsibilities. Faced with ongoing conflicts in Somalia, the Sudan, South Sudan and Democratic Republic of Congo, we are also assuming our responsibilities. Security in African continent is our primary goal... (Vallini, 2016).

Against this backdrop France, through its diplomatic weight and well-rehearsed French-draft UNSC resolutions spearheaded its intervention in Mali with the plan to go it alone. France insisted: "there will be no direct help and no military help at all from the EU, but some countries will contribute bilaterally, as usual" (Bata, 1 March 2013). EU was reduced to providing financial and logistic resources via the Peace Facility for Africa, ostensibly the EUTM Mali, without combat vocation, based on the perception that the crisis was at European Backyard where France is expected to play 'police' role.

France had two plans: *Plan A* was to establish a pathway, however fledgling for the resolution of the crisis under AFISMA; and *Part B*, a parallel pathway with robust France intervention, which were surreptitiously crafted in French-draft UN resolutions - UNSC Resolutions 2056 [S/RES/2056] of 5 July 2012, 2071

[S/RES/2071] of 12 October 2012 and 2085 [S/RES/2085] of 20 December 2012, to restore the integrity of Mali.

The UNSC Resolutions – UNSCR 2071, requested comprehensive plan of intervention by the ECOWAS and Resolution 2085 [2012] of 20 December 2012, revised AU concept of operation and “provides for an increase in the strength of AFISMA from 3,300 to 9,620 troops, including 171 elements of the civilian component, 8,859 troops and 590 police personnel”. Resolution 2085, *inter alia*, affirmed and emphasised “that the situation and entrenchment of terrorist groups and criminal networks in the northern Mali” continued to pose serious and urgent threat to the people, sovereignty, unity and territorial integrity of Mali, and to the stability in the Sahel region, the wider African region and the international community as a whole. The Resolution, therefore, tasked AFISMA, as a primary responsibility and in consonance with Article 51 of the United Nations Charter, “to strengthen Mali’s defence and security forces, in coordination with the European Union and ‘other partners’, through endorsement of ECOWAS and AU, under consultation with Mali’s national authorities (UNSCR, 2085).

However, UNSCR 2085 - created a source of anxiety for the African partners by the proviso that African Union, in close cooperation with ‘other partners,’ should provide, within 45 days, “detailed and actionable recommendations” of African group to retake the north from Islamist extremists (BBC, 13 October 2012):

- (i) before offensive operations began;
- (ii) (ii) on progress in the political process;
- (iii) (iii) the training of both AFISMA and Malian security forces;
- (iv) (iv) the Mission’s operational readiness; and
- (v) (v) other critical elements, before approval is given for such operation.

The proviso, it seemed, was a ploy for delay and diversionary tactics which robbed AFISMA of initiative and resulted into Africa’s request on UNSC to provide coordinated support to AFISMA, in addition to “a voluntary and a United Nations-funded” logistic support package (UNSCR 2085).

### **Africa’s Regional Efforts in the Malian Crisis**

In Africa, the Transitional Authorities of Mali led by President Dioucounda Traoré and Prime Minister Cheik Modibo Diarra, requested UNSC and EU, on 18 September 2012 and 12 October 2012, respectively, for authorisation and deployment of an international military force to assist the Armed Forces of Mali to recover the regions occupied by the Islamists insurgents and support efforts to bring to justice the perpetrators of war crimes and crimes against humanity, committed in Mali’s northern regions. ECOWAS and AU countries though naively and helplessly brooked the great powers’ ‘terrorist’ contextualisation of the crisis, asked for external military intervention to curb spill-over effects. Some of the efforts taken by African countries to resolve the Malian crisis include:

- Nigeria's President Goodluck Jonathan secured Senate approval for deployment of 1,200 Nigerian troops to boost Nigeria's internal security and that of her neighbours;
- the 15-member ECOWAS imposed economic sanction, which facilitated handover of political power to Traore-led GUNT, howbeit;
- agreement by ECOWAS Commission to send 3,300 troops as part of AFISMA and make request to the UN to assist the regional multinational force with financial and logistic support (including air lift support, ammunition, telecommunication equipment, field hospitals by paramedics, and food and water), pending a UNSC decision on a UN logistical support package, consistent with UNSC Resolution 2085 (2012) and other related matters;
- agreement on strategy and burden-sharing in ECOWAS and AU which was made in AU 20th Summit in Addis Ababa, Ethiopia to pool resources to the tune of US\$50 million in support of AFISMA with a view to upholding the ideals of pan-Africanism and African Renaissance;
- a communiqué on 11 November 2012 on effecting UNSC-driven ECOWAS' multilateral Joint Strategic Concept (JSC);
- adoption of the JSC of Operations for the International Military Force and the Malian Defence and Security Forces (MDSF), on 24 October 2012, through AU communiqué of 13 November 2012 by AU Peace and Security Council (African Union, 13 November 2012: 1);
- dispatch initial 150 troops from Senegal, Nigeria, and Togo to Bamako late on 18 and 19 January 2013, to reinforce a five-day old joint French-Malian ground offensive;
- endorsement by AU Peace and Security Council, at its 358th meeting held on 7 March 2013 of the harmonised concept of JSC of Operations for AFISMA and the Malian Security and Armed Forces within the logic of African Capacity for Immediate Response to Crises (ACIRC) (AU Peace and Security Council, 2013: 22).

Despite regional efforts by ECOWAS and AU, Mali though a member-state lacked faith in ECOWAS and resorted to invitation of France to intervene militarily in the West African country while the sub-regional group of countries groped hopelessly, helplessly and acquiesced initiatives to French-led great powers' balance-of-power-game on the logic of 'humanitarian' intervention in Mali. Mali's invitation to the French reinforced France well-rehearsed *Plan B* to test its robust military concept in which Europe could "assume more responsibility for defence in their forces," without reference to America and NATO as envisioned in consolidation of the military structure of European Security and Defence Policy (ESDP) and Common Foreign and Security Policy (CFSP) by the Nice Treaty of December 2000 and the replacement of ESDP by the new CSDP by Lisbon Treaty of 2009, respectively.

Against this backdrop, the great powers in the UNSC crafted the Resolutions to allow France take over the leadership of command and control of the 'humanitarian' intervention in Mali even though France was not overtly listed as a State-partner in the resolutions on the Malian crisis which was purely an African regional affair.

The process of legal endorsement of French operation was, therefore, contested. France UN Ambassador Gerard Araud persuasively defended that:

France had the understanding and support of the 14 other Security Council members to intervene in Mali's crisis ... Secretary-General welcomes that bilateral partners are responding, at the request and with the consent of the government of Mali, to its call for assistance to counter the troubling push southward by armed and terrorist groups for matter-of-weeks to execute its 'security mission' on the situation of emergency, including Islamist advance, mass displacement, deaths of at least 11 Malian soldiers and a French helicopter pilot, 'fast deteriorating' situation in Mali, etc (*BBC Africa*, 15 January 2013; Tisdall, 14 January 2013).

French intervened in Mali to coordinate great powers' interests in the Mali, Sahel and West Africa regions, in particular, and Africa, in general, under the logic of R2P.

The French deployed Battle Group (BG) 1500, formulated and inspired by two factors:

- the need for the EU to rely on rapid reaction forces able to deploy at short notice at the very beginning of a crisis before it worsens; and
- the lessons learned from the Artemis operation, launched successfully by the EU in Democratic Republic of Congo (DRC) in 2003, which demonstrated that a group of 1500/2000 troops, well-trained and equipped, built around an infantry battalion plus supporting elements, was adapted to manage efficiently a low intensity crisis happening far from EU borders.

The strategic idea behind BG, from operational examples in Mali and Libya are, EU's ability to deploy and operate:

- a rapid reaction force of 1 to 3 brigades supported by Air and Sea, and possible relief if needed; and
- an Air Force component to impose a "no fly zone" while supporting local land forces and ensuring their Air Defence (Eurodefense, 2013).

Leveraging the BG concept, France deployed four standby *Groupement Tactique Inter Armées* (GTIAs) to prosecute its security mission in Mali. The GTIAs include:

- (i) GTIA 1: a reinforced battalion, composed of a headquarters and an infantry company from the 21st Infantry Regiment and two platoons of light-

- wheeled vehicles (known as the ERC 90, or *engine a roués, canon au 90 millimètres*);
- (ii) GTIA 2: is based in the 92nd Infantry Regiment, which had brand new eight-wheeled infantry fighting vehicles (*véhicules blindés de combat d'infanterie*, or VBCIs);
  - (iii) GTIA 3: is an armoured calvary unit that was pulled from the 1st Marine Calvary Regiment, equipped with light six-wheeled reconnaissance vehicles (AMX-10RCs), heavily armed with 105 millimetres-calibre guns; and
  - (iv) GTIA 4: was formed by the 2nd Foreign Legion Airborne Regiment (*Régiment Étranger de Parachutes*) reinforced by the 1st Airborne Regiment (*Régiment de Chasseurs Parachutes*) and other assets from 11th Airborne Brigade (Tramond and Seigneur, 2014: 81).

The BG system was backed by Guépard (Cheetah) component, designed for quick alert strategic deployment for air, land and sea operations at intervals of between two and five days of crisis evolution before it develops into full-scale conflict in regions considered within the jurisdiction of France (Eurodefense, 3013: 3).

Operationally, the first French ground unit that landed in Bamako was called *Groupement Tactique Inter Armées* No. 1 (GTIA 1, or BG 1), which subsequently secured the Bamako airport, Sévaré, Gao and Timbuktu on 28 January and moved north and east to block the Jihadists from advancing. GTIA 1 was reinforced by three more GTIAs, an aviation battle group (*groupe aéromobile*), and a brigade headquarters. The third Marine infantry company was airlifted on Guépard alert from France, a detachment of small headquarters personnel was sent from the French base in Senegal to ensure coordination and communications at the operational level (Tramond and Seigneur, 2014: 80). GTIA 1 was relieved by GTIA 3 and moved back to France on 17 February. GTIA 2 fought the MOJWA groups from 21 January to 15 April and secured its surrounding, whereas GTIAs 3 and 4, together with elite Chadian troops, moved into and secured the area (Amettetai valley and Tigharghar cirque) (Tramond and Seigneur, 2014: 83; Cahier du RETEX, 2013: 43).

In addition, France integrated the Chadian military more for their prowess in desert assault than ECOWAS and AFISMA troops. Although AFISMA consisted primarily of West African troops (Amedzator and Avoxe, 2016), ECOWAS was not trusted because of its reliance on great powers' assistance for intervention, which could degenerate into intelligence collection activities (Arieff, 2012). AFISMA was only belatedly approved in December 2012 under UNSC Resolution 2085, to "support French troops" in countering the threats (Amedzator and Avoxe, 2016), for initial period of one year, just to invent Africa's participation and blur classic criticism of France's intrusion into African affairs.

Without the Malian army in the French onslaught, it was alleged, AFISMA was clueless on the strategic measure to hole the terrorists in their caves until they were finished off. Senior Pentagon official Michael Sheehan observed and warned

that ECOWAS' troops in Mali were "completely incapable" and not "up to the task" of fighting the rebels. More so, the Malian military were described as poorly paid, ill-equipped, badly organised and torn apart in the face of an uprising by ethnic Tuareg rebels who seized the vast north in chaos following March coup, before losing control to well-armed Islamist fighters (AFP, April 2013).

France facilitated UNSC resolution which authorised Operation Serval and, on 11 January 2013, speedily mobilised about 4,000 troops from its bases and the ongoing operations in Chad, Côte d'Ivoire, and Gabon (Buyoya, 2015; Shurkin, 2014), and took direct control, under Operation Serval, from 11 January to 15 July 2014 (one year, six months and 4 days). Belligerents in the Malian crisis included France, Mali, Chad (in *Opération Serval*); Nigeria, Burkina Faso, Senegal, Togo (in ECOWAS-led AFISMA, supported by Belgium, Canada, Denmark, Germany, Netherlands, Poland, Spain, Sweden, United Arab Emirates, United Kingdom, United States); and MNLA. Troops deployment in the *Opération Serval* from the intervention groups was 8,000 (5,100 – France, 3,100 and Chad, 2,000; and AFISMA 2,900) against terrorist combined force of 16,500, drawn from Ansar Dine (between 5,000 and 10,000), AQIM (1,000), and MOJWA (500). French intervention was a move to entrench the neo-colonialists geographically in the Sahel region (Falk, 2014).

Relying on Guépard operational model, the French leveraged its Special Purpose Marine Air Ground Task Force (MAGTF) expeditionary forces positioned for immediate response to episodic crisis in Francophone African states (Griffin, 2007) and engaged complete three-tiered (air, land, and naval) force-deployment in Mali (allied support, inclusive) (*Appendix I*).

In an incremental decisional fashion, the French deployed 750 troops by January 2015, 2,500 up until 4,000. The French offensive was responded to by explosion of first jihadist kamikaze in Gao, on 8 February. Following jihadist response, the French launched 'Operation Gustav,' an all-time largest contingents since its intervention in its former colony, backed by 1,000 soldiers, dozens of armoured tanks, drones, *Rafale* and *Mirage 2000D fighters* and N'Djamena-based Joint Force Air Component Commander (JFACC), the navy (with the amphibious assault ship *BPC Dixmude* and the *Atlantique 2 maritime patrol aircraft*) for effective co-ordination of the operation (Delaporte, 4 March 2013), which swept a river valley that hosts logistic base of al Qaeda-linked Islamists in Gao. The aim of Operation Gustav was to finally, drive away, defeat, or arrest and punish, the Islamist militants who were accused by French Military Chief of Staff, Admiral Édouard Guillaud, of taking human shield after kidnapping of five Japanese nationals and a French citizen in Algeria.

Commander of French land forces in Mali, General Bernard Barrera, assured that the French would, "progressively withdraw" about three-thirds of the 4,000 French soldiers deployed in the region (France24, 9 April 2013), after the defeat of the Islamist groups and reclaim of all the territories, respectively held by: Ansar Dine (Aguelhok, Anéfis, Timbuktu, Goundam, Gourma-Rharous, Diré, Douentza, Konna, Kidal, Léré, Nampala, Niafunke, Tessalit, and Diabaly); MOJWA (Bourem, Gao,

Ménaka, Ansorogo, and Hombori.); AQIM (Timbuktu); and MNLA (Tinzaouaten, Andéramboukane, Tessit, Goudam) in northern Mali.

With the Islamist insurgents driven into Mali's Adrar des Ifoghas mountains and three of the Islamist leaders (Abdelhamid Abou Zeid, Abdel Krim and Omar Ould Hamaha) killed (Adam, 14 March 2014), while Mokhtar Belmokhtar and Iyad ag Ghali fled to Algeria (Serge, 2013), and forced not to deploy the French troops in the 'emerging' Afghanistan-type guerrilla war.

Africa's participation in the French-led campaign was poor. Absence of Unified Combatant Command with UAVs in Africa, wobbly and ineffective AU and ECOWAS defence and security mechanism, that give away the regional group to reliance on logistic support from the great powers constitutes deleterious security fault-line in Africa-great powers relations as demonstrated in AFISMA residual role to a 'back-up support' group, because, from example, according to Senior Pentagon official Michael Sheehan, ECOWAS' troops in Mali were "completely incapable" and not "up to the task" of fighting the rebels. More so, the Malian military were described as poorly paid, ill-equipped, badly organised and torn apart in the face of an uprising by ethnic Tuareg rebels who seized the vast north in chaos following March coup, before losing control to well-armed Islamist fighters (AFP, April 2013). Still, Opération Serval achieved tactical success without peace.

### **The Post-Conflict Mali**

At the end of conflict, Serval was upgraded to Barkhane and joined the EUTM Mali to police democratic election of national and local government leadership, conducted by the UN and AFISMA under the aegis of MINUSMA (Aljazeera, 28 May 2013). Although Ibrahim Boubacar Keita defeated Soumaila Cisse, the election was delayed and fraught with insecurity orchestrated by the Islamists, who over-ran some towns, seizing electoral materials, killing election personnel and contributing to delays which relives the assertion that Mali is "the next Afghanistan" (Doyle, 14 June 2014). UN Secretary General Ban ki-moon alluded to the scenario and urged Mali electorate to peacefully cast their votes "where political and security conditions allow" (Tangen, 21 November 2016).

Post-conflict Mali came under extreme complex 'humanitarian emergency' with: 6th highest infant mortality rate in the world; about 140,000 children under five facing Severe Acute Malnutrition in 2017; 51,961 out of 300,783 registered internally displaced persons (IDPs) and 140,000 out of 175,586 registered and 7,406 unregistered refugees remain in Niger, Mauritania and Burkina Faso; about 3.8 million are food insecure, out of which 600,000 need emergency food assistance; and about 380,000 children aged 7 to 15 remain out of school in insecure regions of Gao, Kidal, Mopti, Ségou and Timbuktu (European Commission, 16 August 2017; UNHCR, 12 May 2013; UNHCR, 7 December 2015; *Their World*, 25 December 2015; Tramond and Seigneur, 2014: 78).

The 'peace intervention' in Mali escalated militarisation in the Sahel region, attesting to veracity of the finding that out of 123 military interventions between 1945 and 2003, only 50 prevailed and met the preset political objectives- an overall success



rate of 41 per cent for all interventions (Sullivan and Koch, 2009; Liebel, 2015). The Backlash of military intervention in Mali precipitated the institutionalisation of post-conflict forces in Mali to restore peace and security.

### **Institutionalisation of Post-Conflict Peace and Security Forces in the Region**

The French-led Operation Serval in Mali attracted many interests and blocs in the Mali Crisis such as:

- The Malian Armed Forces (MaAF), the traditional military forces of the Sovereign State of Mali;
- MINUSMA, established by authority of the UNSC Resolution [UNSCR 2100] of 25 April 2013, comprising not-less-than 48 contributing countries;
- ‘Opération Barkhane,’ upgraded from reactive ‘Opération Serval’ to a proactive and preventive counter-terrorism force model, deployed under G5 Sahel, stretching from Mauritania to Chad;
- EUTM-Mali, launched on 18 February 2013, with twenty-two EU member-states and 578 personnel (comprising 200 military trainers/instructors, 300 protection force, and 78 support staff), largely Czech and French personnel, located in Bamako and Koulikoro, respective, with a second component of 200 German soldiers for medical evacuation, also deployed in the Koulikoro base; and
- African Union Mission for Mali and the Sahel (AU-MISAHHEL), established on August 2013, in place of AFISMA, whose personnel had been subsumed into MINUSMA, after six months operation.

Despite the presence of MaAF, MINUSMA was created as umbrella of final harmonised unified multidimensional force, charged with elaborate mandate, under paragraphs 6 and 17 of its creating-resolution, to support the transitional authorities of Mali to stabilise the country and implement the transition roadmap, in line with the 18 June 2013 *Ouagadougou Agreement*, signed between representatives of the rebel groups in northern Mali and the transitional government (Mills, 19 August 2013). MINUSMA had troop strength ceiling of 12,600 (i.e., 11,200 military personnel, including reserve battalions and 1,400 police personnel), with 50% (6,294) ECOWAS-majority AFISMA; it is the UN’s peacekeeping third-largest force in history, behind the African Union/United Nations Hybrid Operation in Darfur (UNAMID), Sudan’s 20,071, and the United Nations Organisation Stabilisation Mission in the Democratic Republic of Congo (MONUSCO), DRC’s 18,884 (Nadin, 29 July 2013); all of them resulted from post-humanitarian intervention in African region.

Operation Bakhane, named after a crescent-shaped sand Dome in the Sahara Desert and developed from Serval’s intervention mission into counter-insurgency operation, functioned as a parallel peacekeeping outfit to MINUSMA. Serval opened the floodgates to more French military presence in Mali and increased French intervention in Africa to more than 50 times since 1960 (Siridag, n.d.: 100) before it was upgraded into Barkhane, the “blurred French intervention” (Difallah, 2014),

headquartered in N'Djamena, Chad, for expanded French military bases throughout the Sahel region, to pursue great powers' immediate and long-term interests in the region, West Africa and Africa, as a whole (Wing, 2013:60). French handed over responsibility for the Malian security to MINUSMA on 1 July 2013, in accordance to UNSC Resolution 2100, it seemed, but retained French command and control in the affairs of MINUSMA, adjudged 'limited' in capacity (*Africa Confidential*, 2014: 7). As a "mission creep", France stationed troops in the Sahel region for undetermined period (Blair, 16 May 2013), under pretext to prevent a repeat of 'Afghanistan' in West Africa. Under Barkhane, French army were drawn into a mixed combat group - *Groupement tactique interarmes Désert* (GTIA Desert), composed of the Headquarters and Command of the 2<sup>e</sup> Régiment Étranger d'Infanterie (2<sup>e</sup> REI) in Gao, on 20 May 2013. The combat group was to remain in the area for further combat operations and to support AFISMA, MINUSMA and EUTM Mali missions, as well as the Malian army.

EUTM Mali was established to "coordinate closely with MINUSMA in order to assist the Malian authorities in the Security Sector Reform of the country. The activities of the EU included support to rebuild the MaAF, which will meet the country's post-crisis operational needs (EEA, 15 December 2013).

The EU, also launched, on 15 April 2014, a civilian mission under the CSDP, named "EUCAP Sahel Mali," with the mandate to restore the state authority of Mali, "in close coordination with international partners, particularly the delegation of the European Union and MINUSMA, in providing assistance and advice to the Malian police, the national gendarmerie and the national guard in the implementation of the security reform set out by the new government. Thus, EU remained the largest contributor to Mali's development (EEA, 15 December 2015; *The Washington Post*, 5 March 2013).

MISAHEL was established to continue engagements as the civilian headquarters of AU in Mali and for the implementation of the Strategy of the African Union for the Sahel Region. AU High Representative for MISAHEL and the former President of Burundi, Pierre Buyoya, illuminated, the more, that:

MISAHEL was established to ensure AU contribution to the efforts to stabilise the situation in Mali and the Sahel to combat insecurity, promote development and bring peace and stability to the region. To this effect, MISAHEL adopts a holistic approach which comprises political, security, economic and socio-cultural factors. In pursuing these objectives, priority is put on reinforcing good governance, combating insecurity in all its forms (terrorism, organised crime and armed banditry,...) and promoting development (Buyoya, 6 March 2014).

In the main, MISAHEL was a watch-dog agency, built on a tripod of objectives: good governance, security and development to avoid a Sahelistan-type Afghanistan-War that never ends in West Africa.

Under the post-war forces, the crisis remained unabated and thus kept UNSC busy evolving resolutions and statements on the emerging and remaining issues to peace and security in Mali, including:

- UNSCR 2164 [S/RES/2164] of 25 June 2014 that extended the timeframe until to 30 June 2015, to achieve the mandate within authorised troop ceiling of 11,200 military and 1,400 police personnel;
- UNSCR 2227 [S/RES/2227] of 29 June 2015 too, that extended the time until 30 June 2016, within the authorised troop ceiling of 11,240 military personnel, including, for the first time, at least 40 ‘military observers’ in order to monitor and supervise the country’s ceasefire;
- UNSCR 2295 [S/RES/2295] of 29 June 2016, that extended the timeframe until 30 June 2017, with troop ceiling of 13,289 military personnel and 1,920 police personnel;
- UNSCR 2364 [S/RES/2364] of 29 June 2017, that extended the timeframe until 30 June 2018, with troop ceiling of 13,289 military personnel and 1,920 police personnel (Eke, 2017: 95).

The UNSCR 2295 authorised the Mission to use “all necessary means” to carry out its mandate within its capabilities and areas of deployment and authorised the French forces in Mali too, within the limits of their capacities and areas of deployment, to use all necessary means to intervene in support of the Mission when under imminent and serious threat, until the end of MINUSMA mandate. However, the role of MINUSMA was being hamstrung by incessant attacks, resulting to UNSC reviews of human rights documents, meetings, press statements from the UN Secretary General (UNSG) and UNSC President, translated into letters, Secretary General’s briefs and reports, and resolutions, for instance, Security Council’s Press Statements, including:

- SC/12473 of 8 August 2016, which condemned the terrorist attacks that occurred between 5 and 7 August against MINUSMA, in the northern region of Kidal, killing one peacekeeper and injuring six;
- SC/12542 of 4 October 2016, condemning multiple terrorist attacks against MINUSMA, which killed two peacekeepers from Chad and wounded others;
- SC/12579 of 7 November 2016, condemning an attack on a complex Douentza in the centre of Mali, etc.

Under the spate of violence, the UNSCR 2364 urged the Government of Mali, the Plateforme and Coordination armed groups (e.g. G5 Sahel Joint Force) to continue to engage constructively with sustained political will and in good faith to accelerate the implementation of the country’s Agreement on Peace and Reconciliation, signed in 2015 (United Nations, n.d.). For detail of MINUSMA mandate, see **Appendix III** on UNSCRs 2100, 2164, and 2227.

### **Extrapolations from Opération Serval in Mali**

French President Emmanuel Macron, in Mali, dropped a strong message to the world: “France still considers Africa a top priority” (Tesson, 23 May 2017). This suggests that Africa constitutes a formidable theatre for dynamic roles of Europeans in world politics and France holds the ace through its traditional relationships with the Francophone countries, where Mali, ostensibly, provides greater incentive for economic remedy to the stumbling situation in Europe and, of course, America, for instance, the economic disasters in Spain, Greece, Italy, Cyprus, Netherlands, Germany and by extension, for a long-term Western military interventions and deployments in Mali, Sahel region, West Africa and Africa.

The U.S. government supported the French operation for “a more integrated strategy” with the British and other partners in the war to advance great powers’ geopolitical power for lootable resources than humanitarianism under UN’s ineptitude and lack in real-time information, analytical capabilities and ‘good offices’ mechanism in the face of ‘complex and evolving’ nature of transitional terrorist networks (Artnano et al, 2014: 45 and 49). Mali is strategic gateway to Niger Republic, which is hosting U.S. surveillance Drone. Northern Mali is rich in uranium; it serves the French strategic energy need in particular and enrich the wealth of the Western powers through intensified minning by their representative firms. From the foregoing, Browne (2013:11) made a revelation of the link between economy and Western military intervention in Mali.

For military intervention, great powers’ have divided African region among three COCOMs: European Command manages the 42 states of western, central, and southern Africa; Central Command responds to 7 countries in the Horn region’ and Pacific Command covers the Island nations off the continent’s eastern coast (Berschinski, 2007: 7). The classic example of great powers’ military bases in Africa can be found in Djibouti, a country which “lies on the Bab-el-Mandeb Strait, a gateway to Suez Canal, one of the world’s busiest shipping lanes...waypoint between Africa, India, and the Middle East,... hosting seven armies – America, China, France, Germany, Italy, Japan, Spain, and soon Saudi Arabia” (Arrasmith, 19 October 2017).

The French-led third-party military intervention in Mali recreates the dynamic motivations of great powers from humanitarian to geopolitical factors due largely to lootable resources (Abdallah, 2016; Carment and Rowlands, 1998; Findley and Teo, 2006; Gent, 2007; Findley and Mitchell, 2011; Snyder and Bhavnani, 2005; Licklider, 1995; Le Billon, 2001). Developments from Serval to Barkhane indicate that the great powers are actually the “states that make the difference” (Waltz, 1979: 73), and in their ritual to perpetuate their political, military-strategic, and economic control of post-colonial states through installation of pliant political leadership in Africa (Sherman, 2001; Abdoulaye, 2004), can “initiate risky diplomatic and military interventions” and transform great powers’ expeditionary capabilities in projecting force into crisis “in the periphery regions that do not directly affect the security of a great power’s homeland” (Taliaferro, 2004; Delaporte, 4 March 2013). The roles of U.S. Presidents Ronald Reagan and Barack Obama to use US-AFRICOM to hoist

drones in Africa, in the 1980s and specifically 2011, respectively, are particularly instructive (Chengu, n.d; Michaels et al, 2013: 31).

Rather than wind up *Opération Serval* and withdraw troops from Mali at the end of the crisis, the foreign partners remained under the canopies of Barkhane and EUTM, under the pretext of offering peace support operation (PSO) training by their technical expertise, with associated danger of international donors developing course contents (outside AU security doctrines and policy guides) and bankrolling the training to serve the security interests of the donor-countries to further expand the scope of annual training of more than 20,000 African soldiers by the French in France under the subterfuge of ensuring security, strengthening democratic institutions, combating impunity, establishing good governance, and fulfilling human rights obligation (Vallini, 2016).

Since May 2009, eight African countries have signed partnership agreements with France: Cameroon (21 May 2009), Gabon (24 February 2010), Central African Republic (8 April 2010), Togo (13 March 2009), Comoros (27 September 2010), Djibouti (21 December 2011), Côte d'Ivoire (26 January 2012), Senegal (18 April 2012), (Cahiers du RETEX, 2016: 83), and maintains permanent bases in Mali, Niger, Chad, and Burkina Faso, and has defence pacts with Cameroon, Central African Republic (CA), Comoros, Côte d'Ivoire, Djibouti, Gabon, Senegal, Togo, because the French feels Europe is most directly affected by Africa's stability (Livre Blanc, 2013: 29 and 53)

Curiously, there was active participation of Americans, British, French, Danish, Dutch, Portuguese, Spanish, etc., all great powers, during the New World slave-labour plantation economies, from 16th to 18th centuries, who colonised and also took active part in slavery and slave trade in Africa (Eltis et al, 24 December 2005), and who for their geopolitical interests, assigned to France, command and control of the UNSC-MINUSMA in Mali, from *Opération Serval* into Barkhane, under the banner of R2P in the face of transnational terrorist networks, as well as assembling forces and logistics (Artiñano et al, 2014: 8).

*Serval*, initially designed for a short term objective to penetrate and subdue, through mission creep was upgraded into Barkhane to achieve France geostrategic long term objective through influence in the post-war programmes and policies in Mali, the Sahel region, Africa and by extension defence of its position in the UN as well as the wider international arena rather than to "accompany Africans and allow them to ensure their own security" (Legneau, 22 July 2014); it is the geopolitical dimension to states' strategic interests that usually drive deployment of military forces in a sovereign state the on logic of humanitarianism (Marjonovic, 4 April 2011; Pattison, 2010; Frye, 2000; Bove, Gleditsch and Petros Sekeris, in Bawden, 28 January 2015).

Although the Malian crisis was purely political, great powers applied more, military approach, on the postulation of threat to security, which led unfortunately to the sole option of use of military and resultant degrading and disorganisation of the Islamists into multiple centres of hit-and-run guerrilla-fashioned suicide groups in the central Sahara.

Although the French *Serval* made short-term success, it prevented more than it contributed and was unable to address the conflict's underlying precipitants (Boeke and Schuurman, 2015: 801). As a military exhibition of great powers' latest weapons and logistical military capabilities, the French and U.S. governments gave 'thumbs up' for the expeditionary capabilities despite escalation of militarisation of the Sahel region and African nations in general. The French Army, for its technological sophistication in a small, scalable, and task-oriented units, smaller sustainment requirements, mobility, suitability to cultural and doctrinal emphasis on manoeuvre, and sufficing under austerity, proved "a model for building the kind of expeditionary force envisioned by Odierno, ... one that is also increasingly in line with future United States Army budgets" (Shurkin, 2014: 1).

The logic of structure of African states, corruption and ungoverned spaces expects that "conflict will likely be as much part of Africa's future as its past" (Mead and Keeley 24 January 2016), without big-ticket arms deals or 'give-aways,' including UAVs to African Unified Combatant Command. Great powers' intervention in vulnerable states on humanitarian-for-geopolitical need, work on the public psyche of the international community through reasonable postulations on 'threat to security', vacillating between norms and interests, a "collective historical trauma" and 'post-imperial ideology' promoted more by state failure and preferences for regional initiatives and political mediation to resolve civil wars (Lee and Chan, 2016).

The revelations from *Opération Serval* in Mali, particularly in terms of geopolitical, economic, military-strategic posture, provides incentive for consciousness of African leaders to build a functional security architecture for Africa's security

### **Concluding Remarks**

The study on French "Operation Serval" imposed on Africa as *beau geste* (beautiful gesture) despite international criticisms, underscored the strategic politico-economic motivations of great powers' military intervention in weak and vulnerable African developing states and states in transition. Though limited in strategic value and short-term tactical success, the operation was unable to address the root causes of the crisis.

President Macron's message on Africa's critical importance to the French and the French White Paper on defence and national security which seeks to ensure stability in the Sahel region through greater push for utilising French special forces and technology, a permanent deployment of army and naval assets to African continent, and more cooperation with local African forces (Tesson, 23 May 2017), present graver danger to African security and by extension, relationship with the French and other great powers who see Africa as vineyard or safety valve for blowing off political steam in order to preserve balance of power in the international system.

The Malian crisis attests strongly to the fact that with real and phoney charges of de-democratisation and terrorism resulting from 'ungoverned spaces' amplified more by state failure and preferences for regional initiatives and political

mediation to resolve civil wars, increasing transitional threats and absence of Unified Combatant Command in Africa, wobbly and ineffective AU and ECOWAS defence and security mechanism, UN operational gaps under increasing transnational terrorists networks, great powers' disposition and meddling in internal affairs of vulnerable African states and their unwillingness to build indigenous, well-equipped and effective African defence and security architecture, there is no doubt that the UN and hybrid UN-AU missions will continue to increase exponentially, and logically help to increase the number of foreign military bases in Africa to the overall detriment of purely African defence and security.

Logically too, it is argued, in years to come, Africa is expected to experience more great-power-intervention, premised on humanitarian-for-geopolitical need, representing a classic switch between norms and interests, a "collective historical trauma" and 'post-imperial ideology' promoted more also by state failure and preferences for regional initiatives and political mediation to resolve civil wars (Lee and Chan, 2016).

This is a clarion call to African countries to put away their political differences, appreciate the new elements of security defence and consciously, first, work out African 'integrated' or 'unified' combatant command based on extant defence and security frameworks, for example, the 2008 Memorandum of Understanding (MoU) between African Union and Regional Economic Communities (RECs), which entrusts primary role in the promotion and maintenance of peace; 1999 ECOWAS Mechanism for Conflict Prevention, Resolution, Peacekeeping and Security (MCPMRPS), and African Centre for the Study and Research on Terrorism (ACSRT) established for centralising information, studies and analysis in terrorism and terrorist groups and to develop Counter-Terrorism capacity-building programmes which have been less result-oriented; second, integrate pre-existing, but undeveloped multidimensional African Standby Force (ASF) of 25,000, which was designed to draw from military, police and civilians in a 5,000-personnel each of Africa's five regional standby force level: North Africa Regional Standby Brigade (NASBRIG); East Africa Standby Brigade (EASBRIG); Force Multinationale de l'Afrique Centrale (FOMAC); Southern Africa Standby Brigade (SADCBRIG); ECOWAS Standby Brigade (ECOBRI), supported by civilian police (CivPol) and other capacities (Batware, 19 December 2011; Warner, 2015; Cédric de Coning, 2014: 34); and third, pool resources together, acquire unmanned Aerial, for monitoring early warning notices and quick response to threats, like the French alert system (Guépard) in the Battalion Group (BG) for rapid deployment of units despite challenges.

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**Appendix I: Allied Support to French Operation in Mali, 2013-2014**

S/No	Supporting Country	Force
1.	Belgium	The Belgian Army deployed two Air Component C-130 Hercules transport planes and two Medical Component Agusta A109 Medevac medical evacuation helicopters along with 80 support personnel to Mali.
2.	Canada	A Royal Canadian Air force C-17ER Globemaster III deployed to France to assist with the transport of troops and materiel from France to Mali for one week. According to French Ambassador to Canada Philippe Zeller, the Government of France requested Prime Minister Stephen Harper to extend the Canadian deployment.
3	Chad	On 16 January 2013, the Chadian government announced that it would deploy 2,000 troops: one infantry regiment with 1,200 soldiers and two support battalions with 800 soldiers. The Chadian forces will not be part of the AFISMA, but will be integrated into the French command structure.
4	Denmark	A Royal Danish Air Force C-130J-30 Super Hercules with 40 support personnel was deployed to Mali on 15 January 2013.
5	Germany	Three German Air Force Tansall C-160 were deployed to Bamako to help with the transport of equipment. On 28 February 2013, the German parliament approved sending up to 330 German soldiers to provide engineer mentoring, logistical and medical service to the operation as well as one additional A310 MTT air-to-air refuelling plane.
6	Netherlands	Initially, the Dutch government decided to deploy a Royal Netherlands Air Force KDC-10 tanker/transport plane. For its first flight, the aircraft picked up its supplies in France and proceeded to N'Jamena in Chad, where the French military have a logistic support hub. After 14 January 2013, the Dutch began to fly directly into Bamako. Later, the Dutch contribution was increased by an additional KDC-10 tanker/transport plane, four C-130 Hercules transport planes, three CH-47 Chinook transport and Medevac helicopters and one DC-10 passenger plane.
7	Spain	A Spanish Air Force C-130 Hercules with 50 support personnel was deployed to Mali on 18 January 2013, to help with transport of AFISMA personnel. Spain later added a C-295 plane to assist in troop movements in Mali. An additional 30 soldiers were sent on 13 February 2013, to protect allied instructors.

8	Sweden	The Swedish government allowed France the use of the Swedish share of the NATO Strategic Airlift Wing C-17 Globemaster III strategic transport plane was dispatched from the Pápa Air Base in Hungary to France to aid in the transport of materiel and troops to Mali. Also, six Swedish parachute rangers from Fallskrmsjägarna was sent to assist as instructors for Mali's armed forces.
9	United Arab Emirates	The United Arab Emirates Air Force deployed two C-17 Globemaster III transport planes to aid in the transport of materiel and troops from France to Mali.
10	United Kingdom	The Royal Air Force deployed two C-17 Globemaster III strategic transport planes of No. 99 Squadron to the French Évreux Air Base on 13 January 2013. The planes transported French armoured vehicles to Bamako in what the British called Operation Newcombe. On 25 January 2013, the UK Ministry of Defence announced the deployment of a Sentinel R1 surveillance aircraft to support French Forces. The British government announced on 28 January 2013, that British troops will deploy to Mali, but would not be involved in combat. The troops totalling 350 within Mali and other nations.
11	United States of America	The U.S. Air Force established an air base between the Istres-Le Tubé Air Base in the South of France and Malian capital, Bamako, using up to five C-17 Globemaster III transport planes to ferry French equipment and troops to Mali. A small contingent of American troops will provide flight support operations at Bamako. On 29 January 2013, U.S. Defence Secretary Leon Panetta informed French Minister Jean-Yves Le Drian that the "U.S. Africa Command will support the French military by conducting aerial refuelling missions as operations in Mali continue. Over the course of Operation Serval, up to 5 U.S. KC-135 were deployed to conduct Air Refuelling missions with French Mirage and Rafales including an impressive 100 sorties in less than two months. U.S. covert ISR aircraft based in Burkina Faso supported the operation.

**Sources:** Adapted from various sources. In 'Operation Serval,' <https://en.m.wikipedia.org>



**Appendix II: Country Contributions to MINUSMA**

<b>Country</b>	<b>Military</b>	<b>Police</b>	<b>Total</b>
Bangladesh	5	177	182
Belgium	-	1	1
Benin	305	5	310
Burkina Faso	667	10	677
Burundi	-	2	2
Cameroon	-	2	2
Chad	1246	4	1250
Chile	-	1	1
Cote d'Ivoire	126	1	127
Egypt	-	1	1
France	13	3	16
Germany	-	1	1
Ghana	128	-	128
Guinea	149	2	151
Italy	-	1	1
Jordan	-	1	1
Liberia	46	-	46
Mauritania	5	-	5
Nepal	-	1	1
Niger	657	1	658
Nigeria	687	146	833
Rwanda	1	1	2
Senegal	510	285	795
Sierra Leone	4	-	4
Sweden	4	-	4
Togo	939	153	1092
United Kingdom	1	-	1
United States	1	1	2
<b>Total</b>			<b>6294</b>

*Source:* <http://www.un.org/en/peacekeeping/resources/statistics/contributors.shtml>

**Appendix III: Detail of MINUSMA Mandate, by UNSC Resolutions**

<b>Serial</b>	<b>S/RES/2100 (2013) Paragraph 16</b>	<b>S/RES/2164 (2014) Paragraph 13</b>	<b>S/RES/2227 (2015) Paragraph 14</b>
A	Stabilisation of key population centres and support for the re-establishment of state authority throughout the country	Security, stabilisation, and protection of civilians	Ceasefire
B	Support for the implementation of the transitional roadmap, including national political dialogue and the electoral process	Support for national political dialogue and reconciliation	Support for the implementation of the Agreement on Peace and Reconciliation in Mali
C	Protection of civilians and United Nations personnel	Support to the re-establishment of state authorities throughout the country, the rebuilding of the Malian security sector, the promotion and protection of human rights, and support for humanitarian assistance	Good offices and reconciliation
D	Promotion and protection of human rights	Protection of United Nations personnel	Protection of civilians and stabilisation
E	Support for humanitarian assistance	Support for cultural preservation	Promotion and protection of human rights
F	Support for cultural preservation		Humanitarian assistance and projects for stabilisation
G	Support for national and international justice		Protection, safety, and security of United Nations personnel
	Use all necessary means, within the limits of its capacities and areas of deployment, to execute its mandate		Support for cultural preservation

*Source:* Amedzrator and Avoxe (2016), p. 103.

## **Re-Conceptualizing Leadership and its Impact on Nation Building in Nigeria**

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### **Abstract**

*It is without doubt that the availability or lack of progressive and decisive leadership is a clear indicator of the pace of development in any political system. Good leadership entails political, economic and social justice which are key factors to the crucial duty of nation-building. Since its amalgamation in 1914, Nigeria in her subsequent political independence has remained at the cross roads in terms of the desired nation building. Nigeria is also acknowledged as a curious amalgam of numerous and diverse ethno-religious groups with mutual suspicions, dislikes and conflicts. This paper also adduces that the ideological interpretation of leadership in Nigeria is still unfortunately hinged on this ethno-religious premise than a leadership paradigm based on inclusion, fairness, dynamism and tolerance. The general notion of ethno-religious intolerance has also lead to the rise of other attendant problems such as incessant conflicts, deliberate marginalization and endemic intolerance. This paper submits that nation building in Nigeria has been elusive as the political leadership itself submits to the identification with and protection of sectional interests that undermine nation building rather the objective pursuance of the rule of law, justice and fairness and recommends these value systems to the leadership if the quest for nation building is indeed a serious one.*

**Keywords:** Re-Conceptualizing, leadership, Nation building, Ethno-Religious.

### **Introduction**

Chief Obafemi Awolowo, Leader of the Action Group in Nigeria's First Republic is often quoted to have declared; "Nigeria is not a country but a mere geographical expression," Awolowo (1960:28). The rather controversial but debated assertion essentially underscores the centrifugal challenges Nigeria has faced and still continues to face in redefining her statehood. Nigeria became a single administrative unit in 1914 when the Northern and Southern Protectorates were emerged by the British colonial authorities for reasons of administrative convenience. It also made more sense economically, to fuse both regions to exploit them economically than to administer them apart.

It is pertinent to note that the colonial authorities did not have the same administrative structures across the length and breadth of Nigeria. Indirect rule in the North was both extensive and efficient using traditional rulers, a practice that had mixed reactions and results in Western Nigeria and was a total failure in Eastern Nigeria. Therefore, Nigeria is essentially a British creation and was designed to assuage colonial interest.

What is rather worrisome is that almost 54 years later the ideologies of colonial rule and vestiges of indigenous pre-colonial dispositions have undoubtedly made leadership in Nigeria extremely problematic, a situation that manifested in Nigerian's Civil War from 1967-1970. At every phase of statehood from the First Republic in the 1960's to the present Fifth Republic, political leadership in Nigeria evolved along parochial lines. This is the reason Olagbenla (2005) notes that Nigerians has experienced series of sufferings, instability, insecurity and underdevelopment under both civilian and military administrations respectively. Nation building is impossible under instability and insecurity but these are mere symptoms of the challenge of biased political leadership as our analysis explains.

### **Conceptual Elucidations**

Re-conceptualizing entails the redefinition of an otherwise already known concept in a new sense and meaning. It is also understood as the act or process of developing a new understanding for something. Relating this to leadership we refer to the process of understanding both the leadership process and its ideological premise in new terms. Leadership itself is defined by various scholars as the process of coordinating, directing and commanding people in order to achieve certain goals. It entails among others;

- Establishing a clear vision
- Sharing that vision with others so that they follow willingly
- Providing information, knowledge and methods to realize that vision and
- Coordinating and balance conflicting interest of all members and state holders. (Business Dictionary, 2014).

Explaining further it is explained that a leader steps up in times of crisis and is able to think and act creatively in difficult situations. The fact coupled with the ability to rise above petty and parochial interests also redefines leadership as balanced and transparent. Mason (2012:3) describes leadership thus;

Leadership is simply causing other people to do what the leaders want. Good leadership whether formal or informal is helping other people to rise to their full potential while accomplishing the mission and goals of the organization. All member of an organization, who are responsible for the work of other, have the potential to be good leaders if properly developed.

In addition to Mason's description, Coleman (2012:4) opines;

For one leadership in an act - a decision to take a stand or step in order to encourage, inspire or motivate others to move with you. What's more the most effective leaders do not rely on their title or positional powers to lead. Rather the ability to use their own personal power combined with their use of strategic influence is what makes them effective.

In summing their perspective, we can agree that leadership entails effective control and coordination by a group or person who inspires confidence and effective

control in a just and transparent manner that inspires confidence, togetherness and sense of belonging to all the followers.

Nation building on the other hand refers to the art, act and process of driving a particular group or groups of people to a state of collective oneness. This oneness can be made manifest in diverse ways which are political, economic, ethnocentric or even religious. It leads to a situation of identity creation and identification. Nation building processes are mostly two pronged; either a particular group develops a uniform structure of identity in various stages or secondly a collection of diverse groups come together mutually and sometimes with coercion to form a nation. Alesina (2012:20) defines nation building as process which leads to the formation of countries in which the citizens feel a sufficient amount of commonality of interests, goals etc. It is therefore a process of conscious statecraft not happen stance. In this wise commonly shared values are articulated, advocated and entrenched including a single group identity that reinforces this sense of cultural identification.

It is observed that history is replete with multitude efforts to “nation-build”. Tilly (1975) notes that almost all European governments through their political leadership took steps which homogenized their populations: the adoption of state religion, expulsion of minorities or cooption, institution of a national language and the organization of mass public instruction. Wilmot (1979) also agrees that a lot of leaders of political systems find powerful influence through the spread and generalized acceptance of the elite culture and language as a “cement” for nation building. Therefore, homogenization of culture, values and processes indeed underscores nation building. This situation can be both negative and retrogressive or positive and progressive depending on the nature of the ruling elite culture.

Nation building is indeed a transformatory process. It leads to the emergence of a more cohesive political system if the process employed to reinvent the nation-state are fair, inclusive and transparent in which the rights and privileges of the various cleavages, sections or ethnic groups are protected and assured. When this situation occurs, the result is a more probable disposition towards unification and new identity creation. In this manner many nations are moulded into new nation-states with a new identity that protects and provides for the political economic and social rights of all. There is also the negative strategy of nation building which is obtained by fiat, coercion, violence, trickery or force. Activities of the trading companies in the 17<sup>th</sup> century such as United African Company in the Niger Delta in signing obnoxious treaties with African rulers such as Jaja of Opobo, and Nana of Itsekiri are clear examples of negative nation building. The amalgamation of the Southern and Northern Protectorates in 1914 and the consequence of the Berlin Conference of 1884-85 by Otto von Bismark which led to Africa’s balkanization is also a glaring example of negative nationbuilding. New countries were created through administrative fiat and brutal coercion for obvious European economic interests.

### **Transactional and Transformational Leadership; Theoretical Considerations**

Lai (2011) provides a theoretical framework for leadership that could answer Nigerians leadership conceptualization dilemma. To her, transformational leadership

theory maintains that “Transformational leaders exhibit charisma and shared vision with their followers, stimulating others to produce exceptional role”, (Lai, 2011:1). In further elucidation, transformational leadership is correlated to more positive outcomes than any other leadership style and it also predicts better contextual performance, describing followers performance above and beyond what is delineated, (Lai, 2011:1).

On the other hand, transactional leadership which is based on purchase, describes more of a “give or take” working relationship. According to Lai (2011) rapport between leader and follower is established through exchange such as a rewards system for meeting particular objectives.

Barns (1997), argues that it was possible to distinguish between transactional and transforming leaders. To him transforming leaders are visionary leaders who seek to appeal to their followers “better nature and move them towards higher and more universal needs and purposes (Bolman and Deal 1997:314). We may describe the transforming leaders as a change agent; a revolutionary of some sort who galvanizes rapid change in society or a political system.

Transactional leadership as Barns (1997) explains, approach followers with a eye to trading a thing to another. We can explain here that this leadership literally “buys” loyalty by giving material benefit. This type of leadership also tends to produce false followers in the form of sycophants i.e persons whose attachment to leadership is based on what they can materially derive from such a leadership.

Bass (1985) and Wright (1996) have spelt out the various traits that are found in both transactional and transformational leaders. In the transactional leaders they note the following;

- Recognizes what it is that we want to get from work and tries to ensure that we get it if our performance merits it.
- Exchanges rewards and promises for our effort.
- Is responsive to our immediate self-interests if they can be met by getting the work done.

For the transformational leader they observed that the leaders;

- Raises our level of awareness, our level of consciousness about significance and value of designated outcomes and ways of reaching them.
- Gets the followership to transcend self-interest for the sales of the collective, organization or larger polity.
- Alters the need level and expands the range of wants and needs among the followership.

These two broad formats of leadership are enhanced by other leadership variables such as authority i.e the amount of influence such as leadership exerts, intelligence and charisma which is based on the innate likeability and magnetic appeal such a leader manifests. Both transactional and transformational leaders can manifest authority (whether formal or informal) intelligence and charisma. This is why seemingly “bad” leaders such Idi Amin of Uganda, Adolf Hitler of Germany and

even Saddam Hussein of Iraq were able to exercise so much control over the people they led.

The submission by Bass (1985), Bolman and Deal (1997) and Lai (2011), in that leadership styles do not always stay static and may indeed change if the leadership figure wills it differently. Therefore, a transactional leader may indeed become and “philosopher king” if the circumstances and his volition serve as catalysts for such a change to occur. Sometimes the factor is the followership which is motivated by change thus revolution while at times it is motivated by the personal experience of the leader in question.

For developing states such as Nigeria, the question of biased leadership is not farfetched. We can agree that these two basic leadership paradigms can be found and explain the leadership question in part.

### **Leadership and Nation Building: the Nigerian Experience**

Motivated by semantic deliberations, the questions about leadership usually centre on whether Nigeria has had rulers than leaders. A ruler governs through the hard-line adherence to regulations of government. A leader on the other hand “connects” with his followers. The leader is “conscious” where ultimately power is derived from and this is the people. A ruler usually utilizes means of coercion where he or she derives power from. This brief analogy describes Nigerian’s experience in terms of leadership. We may further explain that a ruler is a leader that does not consider the people as basis for the locus of power.

Nigeria has had fourteen leaderships since her political independence in 1960. Out of this number only six of these were civilian and from the six civilian leaderships, one was not democratically elected. Thus for fifty-five years of her sovereign existence Nigeria has had more military (leaders) rulers than civilian democratically elected ones. Therefore, from the regimes of General Aguiyi-Ironsi in 1966 to General Abubakar in 1999 most Nigeria’s leaders have told their audience (the populace) that the welfare and rights of the people were their motivation to leave the barracks and forage into politics. Unfortunately, “permission” from the people was usually not asked before the Nigerian Constitution which establishes leadership succession is put in abeyance, (Alani, 2003). As Ekwueme, (2005:2) adds; “nothing is wrong with our constitution, but there is something wrong with our operatory ethnicity and extreme sectionalism which as a core structure of our federal system was recipe for instability”.

Therefore, despite claiming to act on behalf of the people, military leaders derive power by coercion and this is why most military governments use force to rule as they do not have legitimacy. Any modicum of legitimacy is derived by the performance of such military rulers especially if they implement populist programmes and possess the previously mentioned variables of leadership (authority, intelligence and charisma). It is indeed difficult for any leadership to operate without these factors.

In Nigeria like other political systems across the world the process of formal and informal leadership recruitment relies on value judgements which are derived from the ethno-social and religious settings of the polity.

By this we mean that the paradigms of ethnicity, economic status and religion have formed the basis for leadership recruitment in Nigeria. Nigeria's fractious ethnicity has been the basis for leadership selection and recruitment. In this situation being an indigene of a particular region or ethnic group and religion has indeed guaranteed the aspirations of certain persons which have aspired to leadership, (Esogbue, 2008). Ola, (2009:76-77) points to the political class's derogatory conception of politics and poor perception of other ethnic groups as basis for the never ending leadership challenge.

Esogbue (2008: 20) further observes "a look at the generality of leaders the country has produced whether then or now clearly shows that the nation has never had good leaders but individuals only interested in their own well-being and those of their families".

According to Nnoli (2008:167) Nigeria has had negative ethnic identification. To him attachment to one's ethnic groups value system led to excessive and unrestrained manipulation of communal/ethnic differences in which he further observes had two major consequences for the emergence of ethnicity as a factor of leadership. First it made communal/ethnic differences basis for group alignment and secondly it reposed attention to status and clan among the particular groups. Therefore, with society perceptually disintegrated into segregated groups without basis for inter-ethnic cooperation it was difficult to appreciate progressive inter-ethnic values.

This literally means that Nigerians perceive each other as ethnically inferior and thus unfit to provide leadership and other platforms for cooperation and development. Nnoli (2008:158-159) also notes religion as another divisive factor in the social relations among Nigerians arising from pre-colonial differences. Nnoli (2008:159) further explains;

...the relevant distinction is between muslim and non-muslim. Islam was introduced into Northern Nigeria about five hundred years ago. However, its effect on the population was greatly intensified and its area of dominance expanded after 1804 when Fulani religious leaders in the town of Sokoto waged a holy war that brought most of Hausa land under the orthodox Islamic leadership of the Sultan of Sokoto. In the South on the other hand only a portion of Yorubaland came under Islamic influence the rest remained animist. During the colonial period many embraced Christianity in some cases with enthusiasm even fanaticism.

The above described scenario informs the basis of the struggle for leadership between the North and South of Nigeria. Nnoli (2008) further observes that religious differences have a high potential for separating people from each other and throughout history these differences have been the basis for tension, animosity,



hostility and even war. The Boko Haram insurgency in Nigeria is a clear metaphor of this as a consequence of this ethno-religious divide.

In Nigeria's case we have the sanctity and sacredness of ethnic values in congruence with strong religious beliefs and these have in historic terms been the most decisive as the most enduring factors compelling individuals to form communities that eventually create a polity.

While it is still a debate as to the originating time line for ethnic intolerance in Nigeria, it is declared by Nyobe (1955) and Coleman (1958) that the British colonialists were the first to politicize ethnicity as part of the British colonial policy of divide and rule. To this end Nyobe (1955:20) asserts:

They (the colonizers) set one tribe against another in making the one believe that they are more intelligent and the other believe that they are richer and would dominate the country. They simply wish to draw out of the people's hatred, more profit and the prolongation of everybody's misery.

At first these underhand tactics manifested at the inter-ethnic level but later the culture manifested at the intra-ethnic level where sister communities with the same ancestry developed hatred towards each other for example the political differences that later polarized Tivland and in consequence led to the Tiv riots of 1959.

Therefore, Indirect Rule, divide and rule tactics, propaganda on behalf of ethnic difference and superiority, the creation of imbalances in institutional and educational processes and the manipulations of elections served the colonial purposes well, (Nnoli, 2008:171).

With this situation a highly dysfunctional Nigerian elite was created with a penchant for ethnic rivalry, sectionalism, religious intolerance and ethnic hatred, (Levan and Ukata, 2012). The influence and relevance of political power to economic wealth and control intensified such ethnic diversities and religious tensions. In the end, the Nigerian political system has had to endure transactional leaders as transformational ones were usually short lived and found the various ethno-religious diversities too strong in order to build and consolidate effective progressive leadership. It is also this situation that has made governance a rather complicated scenario and nation building very problematic in Nigeria.

It is indeed very difficult for a particular political leadership to consider other sections in Nigeria especially their peculiar ethnic divides and religious variance if indeed the leadership is steeped in propagating the ethno-religious interests and agenda of a particular group – the one the leadership belongs to. Nigeria is not a nation-state but a conglomerate of various nations that are on a rough path to pluralistic nationhood. Thus in this regard, nation building would entail a broad based view by leaders in which an equitable disposition to all the ethno-religious groups reflects the interests of the component sections of the polity, (Abdulwahab, 2009).

In a situation where ethno-religious chivalry exists, national programmes that accelerate development and thus nation building end up implemented in a biased and

parochial manner as Nigeria has experienced since independence. Most Nigerian leaders follow the transactional leadership paradigm where the various cleavages are given patronage based on the solidarity they show towards the leadership and not because they are an incisive component of the Nigerian state.

This also underpins the reason why the political leadership is reluctant to prosecute its cronies and affiliated agents of corruption and other offences against the state thus creating an environment of impunity. Nation building becomes arduous and impossible when the institutions of state hood such as the military and other public institutions including the national treasury are administered to whims of the ruling ethno-religious cleavage. This situation marginalizes the other groups that exist within the polity as constituent sections. This explains why inter and intra ethnic and religious conflict has been Nigeria's bane since independence.

### **Overcoming the leadership challenge in Nigeria**

Nigeria has experienced and endured various ethno-religious conflicts. It fought a civil war from 1967 to 1970. It also experienced the Maitasine Insurgency in 1982 and other ones such as the Sharia Riots in 2001. The mantra at the outcome of the civil war was "no victor, no vanquished". This was to de-emphasize the tensions between the ethnic groups that fought on either of the Biafran and Nigerian sides. Rather than spur a new era of political leadership, the post war period has seen the consolidation of ethnic interests and rivalries in the quest for political power. This situation is further aggravated by poverty, general economic crises and the lack of social justice. It has made the Nigerian state restive and conflict prone from the very beginning. It is difficult to initiate and accelerate nation building in a situation of perpetual conflict.

In fact, a sinister dimension to conflict resolution has emerged which has made nonsense to attempts at managing conflict. This situation illustrates its politicization and commercialization by the political elite with potential outcomes that threaten the corporate existence of the Nigerian state (LeVan and Ukata, 2012). The poor and un-transparent management of the Boko Haram Insurgency by the Nigerian military and political leadership underscores this salient point.

It is not farfetched that Nigeria needs a transformational political leadership that perceive the whole polity as one indivisible constituency and promulgate a development paradigm that would be agreeable to all sections.

The Nigerian state has to adopt a universal criterion for both leadership recruitment and leadership performance. Despite the fact that Nigeria claims to be practicing democracy her political elite are yet to imbibe the values that go with democratic governance such as the rule of law, transparent elections, socio-economic equity including the presence of a viable political opposition.

There are issues that generally affect people across ethnic and religious divides. Poverty is not selective of people because they are of a particular religious or ethnic affiliation neither does injustice, corruption, crime and insecurity. It means therefore that a political culture that recruits leadership based on who can uphold

unifying progressive values is key towards evolving the transformational leader that is recommended for Nigeria, (Atser, 2009).

### **Conclusion**

Nigeria is yet to learn lessons from past experiences and history. To this, Esogbue (2008:3) observes that “one major problem Nigeria has is that the nation is lacking in consistent policy which puts the mechanism of the political leadership of the country and achievements in inertia”. In agreeing with Esogbue, we can adduce that the reason for this situation is that broad based egalitarian criteria were not considered when most of the political leaderships in Nigeria were established. These leaderships were not founded on values such as the protection of human rights, socio-economic and political justice, transparency, accountability and anti-corruption, but on ethno-religious sentiments.

The philosophy of governance which is supposed to be hinged on the welfare of the people has changed to opportunism for particular ethnic interests to the seclusion of others. The consequence of this in Nigeria is an environment of corruption, ethnic and religious intolerance. This in turn has reinforced endemic insecurity and conflict with a bleak consequence for nation building. It is the general submission here that only with the evolution of a transformational leadership in Nigeria’s polity that progressive development can be attained.

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## **Victims, Not Perpetrators: Boko Haram Insurgency and the Juvenilization of Suicide Bombing in Nigeria**

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### **Abstract**

*This paper interrogated the recruitment and use of children in suicide bombing by Boko Haram (BH) insurgent group. Designed as a desk study, it noted that the engagement of child soldiers by the BH is born-out of the difficulties it faces in the presence of enhanced Joint Military Operations from countries that share borders in the Lake Chad Region, which include Cameroon, Chad, Niger and Nigeria, with representation from Benin Republic that is constantly making it difficult for BH to successfully coordinate and easily carry out attacks against its soft targets. Consequently, it resorted to the abduction and kidnapping of children among other means. Its recruit children whom they radicalise and/or induced into serving as suicide bombers among other support roles that child soldiers provide, which create fear and suspicion in the minds of people towards children. This situation has resulted in rejection, ostracism, abuse and isolation of children especially those that were rescued, release or escaped from BH captivity or fathered by a BH fighter from abducted women. Besides, many children have been and/or arrested by security forces out of the fear that they were human bomb (suicide bomber) or may have been exposed to violence in the hands of the BH. This paper made the point that society's treatment of these children from the enemy perspective overlooks the fact that they were mere victims of the situation and not the perpetrators, noting that their social isolation and rejection can predispose them to re-recruitment or Stockholm syndrome thereby preparing them as the next insurgents. Accordingly, it suggested that the ongoing rehabilitation and deradicalisation programme in the northeast should take into cognizance of the need for proper reintegration of these children into their communities. It concluded by noting that the institutionalization of good governance which will ensure socio-economic development of the country will help in reducing the source of child soldier for the BH, mainly those that join voluntarily as well as those that were donated by their parents for economic and security gains.*

**Keywords:** Boko Haram, Insurgency, Terrorism, Juvenilisation, and Suicide bombing

### **Introduction**

The Nigerian state is no stranger to group grievance, militancy and insurgency that adopts violence as instrument of negotiation. In fact, if there is anything or theme that capture the political culture and behaviour of the country's

political elite (both ruling and non-ruling) in their struggle for power or control of the soul of the Nigeria state; it is the culture of violence. Accordingly, every group or ethnic nationality in the country that want its interests accommodated and addressed by the state - be it office of the Presidency, political appointments, revenue allocation, citing of major projects, down to the provision of basic social amenities among other things usually resort to one form of violence or the other. The Niger Delta militancy is a case in point. Besides, most ethnic groups in the country *boast* of their militia through which they seek to project, promote and protect the ethnic nationalist interest of their members within the larger Nigeria state architecture. This is vividly demonstrated in the existence and activities of such ethnic militia groups like: Movement for the Survival of Ogoni People (MOSOP), Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), Indigenous People of Biafra (IPOB), Movement for the Emancipation of the Niger Delta (MEND), Niger Delta People volunteer Force (NDPVF), Odua People's Congress (OPC), Arewa Youth Forum (AYF) *et cetera* that have engaged the Nigeria state at one point or the other over issues concerning the sectional interests of their members; whose defining character were that they (members) are naturally drawn among people from a particular ethnic group.

Conversely, the Boko Haram (BH) insurgent and terrorist group, which has been fighting the Nigerian state and its citizens for close to a decade now, has caused about 100,000 deaths since 2009 (Haruna, 2017a). The sect unlike other groups (both past and present) not only introduced a new terrorist ideology and dimension - suicide bombing<sup>1</sup>, into the country's socio-political game of violence, but went as far as recruiting, radicalizing and deploying children as young as eight years as suicide bombers. Besides, the frequency and perimeter of BH suicide bombings having been showing upward trend such that it increased from 32 in 2014 to 151 in 2016. The breakdown of this figure among the countries in the Lake Chad region where BH operates indicates: 89 in Nigeria; 39 in Cameroon; 16 in Chad; and 7 in Niger (<http://www.bbc.com/news/world-africa-36023444>). The most worrisome aspect of the trend is that one in every five suicide attacks done in 2016 were carried out by a child. Again, of the entire suicide bombers with determinable ages, 60 per cent were children, with the youngest being as young as seven years (Kriel, 2017). In fact, between January 2014 and February 2016, there were 40 suicide attacks involving one child or more with: 21 in Cameroon; 17 in Nigeria, and two in Chad (<https://www.theguardian.com/global-development/2016/apr/12/children-suicide-attacks-boko-haram-unicef-nigeria>).

This demonstrates that children now account for nearly a fifth of all suicide bombings in Cameroon, Nigeria and Chad. Consequent upon which, Warner, observed that BH has shattered the demographic stereotypes as to what a suicide bomber looks like; owing to the fact that BH was the first terrorist group in history to

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<sup>1</sup>Boko Haram modified its tactical portfolio to include car bombings and suicide attacks. Its first suicide bombing was on April 8, 2011, at the office of the Independent National Electoral Commission in Suleja, Niger State. The male suicide bomber and eight National Youth Service Corps members died in the attack.

use more women suicide bombers than men, and is presently at the frontline of normalizing the use of children as suicide bombers (<http://www.dailymail.co.uk/news/article-4787152/Boko-Haram-s-suicide-bombers-women-children.html#ixzz583fJ6UnT>). The participation of children in suicide bombing created not only suspicion and negative attitudes (treatment) but phobia towards children by their parents, community members and security personnel especially those that were rescued or that succeeded in escaping from BH captivity. It is against this backdrop that this study investigated the nexus between the recruitment and use of children in suicide bombing by the BH terrorist group and challenges such involvement present to children both physically, psychologically, socially and otherwise.

### **Theoretical Framework**

This study adopts some basic propositions emanating from the games theory of politics as its framework of analysis. Some of the major names that were associated with the popularization of the theory include mathematicians John von Neumann and John Nash, as well as economist Oskar Morgenstern. Meanwhile, the theory was introduced and applied in political analysis by Duncan Luce & Howard Raiffa, Martin Shubik & Anatol Rapoport (Varma, 2006). The theory studies human actions and strategies in situations of conflict and cooperation (as well as interdependence) in which each of actors (players) seek to maximize gains and minimize losses (Piano & Riggs, 1973), hence, their actions and interaction between them is game-theoretic in nature. In some respects, game theory is the science of strategy, or at least the optimal decision-making of independent and competing actors in a strategic setting (<https://www.investopedia.com/terms/g/gametheory.asp>), which may be individuals, groups, firms, or any combination of these. It typically involves several players; the formal definition lays out the players, their preferences, their information, the strategic actions available to them, and how these influence the outcome (Turocy & von Stengel, 2001); in addition to the creation of a language and formal structure of analysis for making logical decisions in competitive environments. The term “game” can be misleading. Even though, game theory applies to recreational games, the concept of “game” simply means any interactive situation in which independent actors share more-or-less formal rules and consequences.

Meanwhile, a strategic game represents a situation where two or more participants are faced with choices of action, by which each may gain or lose, depending on what others choose to do or not to do. The final outcome of a game, therefore, is determined jointly by the strategies chosen by all participants, as the choices made by each of the players (actors) have effect on the others gains or losses. These are also situations of uncertainty because no participant knows for sure what the other participants are going to decide. Some variants or types (models) of games under the games theory are: Two-person zero-sum games (where one's gain equals the other's loss) used by military-strategists; many-person (non-zero-sum games where it pays to cooperate) used in study of economic behavior. Games such as

prisoner's dilemma (where two players must choose-without communicating with each other-either to cooperate or betray) are used in political theory and union (collective-bargaining) negotiations (Businessdictionary.com, n.d.). Again, the formal application of game theory requires knowledge of the following: the identity of independent actors, their preferences, what they know, which strategic acts they are allowed to make, and how each decision influences the outcome of the game. Depending on the model, various other requirements or assumptions may be necessary. Finally, each independent actor is assumed to be rational (<https://www.investopedia.com/terms/g/gametheory.asp>).

### **Assumptions of Games Theory**

The basic assumptions of upon which the games theory is applied to political settings and events is as follow:

- ❖ Every game requires at least two independent players. This may be more depending on the nature of game;
- ❖ Each of the players is concerned with the strategy the will help arrive at decision(s) that are beneficial to him;
- ❖ Every game requires a strategy, which the players hope will enable them attain their goals;
- ❖ Players are guided in their actions by rationality, hence, they act rationally;
- ❖ There are always alternative causes, which the players or actors can select from;
- ❖ Players usually select the alternative that gives them the highest pay-off;
- ❖ Players are aware that every game involves profit or loss. And such, they apply the strategy that will maximize their gain and minimize their loss (Minimax).
- ❖ In games there exists certain degree of uncertainty. This is because; no strategy assures the total elimination of loss or complete success (prevent zero loss or guarantees maximum gain);
- ❖ Also, the strategy to be adopted by each of the players is dependent on the observable realities in the process of gaming; and
- ❖ At any point where the rational players discover that their chosen strategy cannot guarantee them success they will resort to damage control - this is what is meant by minimax in the process of games.

Using the theory, it was observed that BH sect recruits, radicalize, mobilize and deploy children as human bomb or suicide bombers as an effective strategy in targeting and hitting soft targets in their fight against Nigeria state. The reasons for this change in operational strategy exist at two levels. First, not only did BH understand the importance of women and children after the Chibok abduction, they also, came to learn the global impact and attention the involvement of children generates. Reason being that due to the increasing military operations and security intelligence dedicated by the Nigerian state and its neighbouring countries as epitomized in the establishment and activities of the Multinational Joint Task Force



(MNJTF), BH finds it increasingly difficult to successfully coordinate and carry out attack using adult fighters; hence they resort to the recruitment and deployment of children, on the waist of whom they strap Improvised Explosive Devices (IEDs). This is in line with the argument of Hile (2017) the Editor, Financial Nigeria magazine that:

Boko Haram reverted to guerrilla warfare as its formidable operational tactic following a bolstered counterinsurgency that took back territories formerly captured by the group. But the reason Boko Haram's strikes against security forces and civilian populations have been quite effective is the group's use of children, especially young girls to carry out suicide bombings (<http://www.financialnigeria.com/female-suicide-bombers-as-victims-of-boko-haram-insurgency-blog-302.html>).

Second, is the fact that children unlike adults are malleable, does not ask question and stay longer with the group than adults. It is also economic cheap for the sect to use children than adults. Besides, the counterinsurgency activities of the cooperating states have resulted in the loss of many trained fighters by the BH. It therefore, appears natural that the only way to keep their campaign alive is through the recruitment and use of children.

### **Conceptual explications**

#### **Insurgency:**

The literatures on insurgency see it as, an organized resistance movement that uses subversion, sabotage, and armed conflict to achieve its aims. It normally seeks to overthrow the existing social order and reallocate power within the country (United States Department of Defence, 2007); “a struggle between a non-ruling group and the ruling authorities in which the former consciously employs political resources (organizational skills, propaganda, and/or demonstrations) and instruments of violence to establish legitimacy for some aspect of the political system it considers illegitimate” (O’Neill, 1980, p.1); “an organized movement aimed at the overthrow of a constituted government through the use of subversion and armed conflict” (Department of Defense Joint Publication, 2001, p264).

Insurgents may also seek to: (1) Overthrow an established government without a follow-on social revolution. (2) Establish an autonomous national territory within the borders of a state. (3) Cause the withdrawal of an occupying power. (4) Extract political concessions that are unattainable through less violent means (United States Department of Defence, 2007). It is rooted in a desire for social and/or political change, and then insurgencies utilize guerrilla warfare to accomplish their goals (U.S. Army Field Manual, 1986).

#### **Terrorism:**

Terrorism has been variously described as a tactic or strategy of using premeditated violence to achieve political goals or change the outcome of political processes (Sinai, 2008; Deutsch, 1998); the deliberate or intentional use of massive

fear to secure and maintain control over others (Cooper, 2011); and the use of force or violence to compel a government to achieve political and social goals (Blum, 2003). The common threads which run through these views see terrorism as the use of violence/force and fear by a non-state actor or sub-national group for the purpose of achieving social or political goals. Although the political objective appears most defining, other goals of violence, ethnic, social, and economic/financial are not overlooked in the description of terrorist behaviour (Ibaba & Okoye, 2015).

Terrorism is seen as a crime and tactic of warfare; and as a crime, it pertains to the use of violence to kill and destroy public infrastructure or personal property. As a tactic of warfare, it refers to deliberate attack of civilian population or non-combatants in times of war (Schmid, 2004). Article 2 of the UN Draft Convention on International Terrorism (2004)<sup>2</sup> and the Nigeria anti-terrorism Act of 2011, as amended in 2013 list the following as terrorist acts (see Table 1).

**Table 1: Acts of Terrorism**

<b>UN draft Convention on International Terrorism</b>	<b>The Nigeria anti-terrorism Act</b>
<p>Classifies acts of terrorism as unlawful and intentional means that results in:</p> <ol style="list-style-type: none"> <li>1. “Death or serious bodily injury to any person;</li> <li>2. “serious damage to public or private property, including a place of public use, a state or government facility, a public transportation system, an infrastructure facility or the environment”; and</li> <li>3. “Damage to property, places, facilities, or systems (place of public use, a state or government facility, a public transportation system, an infrastructure facility or the environment) resulting or likely to result in major economic loss, when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a government or an international Organization to do or abstain from doing any act”.</li> </ol>	<p>Considers terrorism to be “an act which is deliberately done with malice, aforethought and which may seriously harm or damage a country or an international organization; and is intended or can reasonably be regarded as having been intended to:</p> <ol style="list-style-type: none"> <li>(1) Unduly compel a government or international organization to perform or abstain from performing any act;</li> <li>(2) Seriously intimidate a population;</li> <li>(3) Seriously destabilize or destroy the fundamental political, constitutional, economic or social structures of a country or an international organization, or otherwise influence such government or international organization by intimidation or coercion;</li> <li>(4) “an attack upon a person’s life which may cause serious bodily harm or death;</li> <li>(5) Kidnapping of a person;</li> <li>(6) Destruction to a government or public facility, transport system, an infrastructural facility including an information system, a fixed platform located on the continental shelf, public place or private property likely to endanger human life or result in major economic loss;</li> </ol>

<sup>2</sup> This draft is still under negotiation and was submitted to the United Nations General Assembly in 1998 by India. The UN Ad Hoc Committee on Terrorism which deals directly with this issue was established by Resolution 51/210 in 1996.

	<p>(7) The seizure of an aircraft, ship or other means of public or goods transport and diversion or the use of such means of transportation to influence government or international organization by intimidation or coercion</p> <p>(8) The manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons, as well as research into, and development of biological and chemical weapons without lawful authority;</p> <p>(9) The release of dangerous substance or causing of fire, explosions or floods, the effect of which is to endanger human life;</p> <p>(10) interference with or disruption of the supply of water, power or any other fundamental natural resource, the effect of which is to endanger human life;</p> <p>(11) An act or omission in or outside Nigeria which constitutes an offence within the scope of a counter terrorism protocols and conventions duly ratified by Nigeria; and</p> <p>(12) An act which disrupts a service but is committed in pursuance of a protest<sup>3</sup>.</p>
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Source: Article 2 of the UN draft Convention on International Terrorism (2004; Nigeria anti-terrorism Act of 2011, as amended in 2013

**Child Soldier:**

The term child soldier according to the CSPA [Child Soldier Protection Act], and generally consistent with the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, means: (i) any person under 18 years of age that takes a direct part in hostilities as a member of governmental armed forces; (ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces; (iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or (iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state (<https://thewhistler.ng/story/unimaid-asuu-confirms-five-lecturers-dead-four-missing/>). This suggests that child soldier includes any person described in clauses

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<sup>3</sup> In this provision, demonstration and stoppage of work is not considered a terrorist act if it is not intended to “unduly compel a government or international organization to perform or abstain from performing any act; seriously intimidate a population; or influence such government or international organization by intimidation or coercion.”

(ii), (iii), or (iv) who is serving in any capacity, including in a support role, such as a cook, porter, messenger, medic, guard (Oladele, 2017). Corroborating the above view point, The Paris Principles on the Involvement of Children in Armed Conflict (2007) described a child soldier as a child that has been associated with an armed force or armed group. It further noted that (s)he is any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies or for sexual purposes.

The conceptualizations above indicated that a child soldier is someone that is between the ages of 18 years and below that participates in military operation. The point to note is that there is push and pull factors in the enlistment of children as child soldier. On the push side, children are forcefully conscripted into the military; on the pull side, they on their own free will volunteer to join military forces (driven by poverty, sense of duty, or circumstance) where they serve as fighters (in which case they may be forced to take part in wars and conflicts, forced to kill, and commit other acts of violence as well as act as suicide bombers) or in support roles as cooks, porters, messengers, informants, spies or anything their commanders want them to do; in which case the girls are sometimes sexually abused (<https://www.child-soldiers.org/about-the-issue>).

#### **Suicide Bomber:**

A suicide bomber is a person, especially a terrorist, who carries out a bomb attack with the intention or expectation of killing themselves as well as other people. It is most often defined as an attack where the death of the bomber is the means by which the attack is accomplished. This excludes attacks where the bomber's survival is extremely unlikely but is theoretically feasible. Whereas some earlier research only required an extremely high likelihood of death on the part of the bomber, most suicide bombing research has converged on the death of the bomber as a requirement for meeting a suicide bombing classification (Crenshaw, 2007, p. 138; Pape, 2005, p. 10; Pedahzur, 2005, p 8).

#### **Boko Haram insurgency and the use of children in suicide bombing**

Ever since the radicalization of BH insurgent sect in 2009, the group has persistently sought to establish a caliphate in Nigeria's northeast and neighbouring countries of Cameroon, Chad and Niger. In order to achieve its aim, the group had been attacking the Nigeria state, its citizens as well as security outposts. Meanwhile, the counter-terrorism activities of the Nigerian state, specifically the stick approach as exemplified in the various military operations and Multinational Joint Task Force (MNJTF) forced the sect out of most territories it used to occupy into the once dreaded and now contested Sambisa forest - the remaining known fortress of the sect. Consequently, this loss of territory and captured communities have been accompanied by increase in guerilla tactics and suicide bombing designed to terrorise civilians (Hayden, 2017), and government alike.

Meanwhile, in its quest for survival as well as to keep its terrorist-styled campaign alive, the BH introduced a new dimension of terrorist ideology and tactics into the country by recruiting, radicalizing and deploying of children as suicide bombers. The recruitment of these children contradicts international conventions, treaties, charter and protocols that sought to promote and protect the rights of children, especially as it concerns their involvement in violent conflict as child soldier. This notion is adequately captured in the 1949 Geneva convention, and the 1989 Convention on the Rights of the Child (CRC) that not only seeks to the protect them from participating in armed conflict but to ensure their survival, development, and promotion of their best interest. Accordingly, Article 77.2 of Protocol I additional to the Geneva Convention states *inter alia*:

The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest (Part I, Para. 166, 170; Protocol Additional to the Geneva Conventions of 12 August, 1949).

Most often, these children were recruited into BH's ranks through abducted, kidnapped, enticement *et cetera* were forced to attack their own families and/or communities as a way of demonstrating their loyalty for the boys while the girl's were exposed to various forms abuse including sexual violence and forced marriage to members of the BH in addition to several other support roles. For instance, in her interview with UNICEF, a 17-year-old ex-BH abductees that now lives in the IDP camp with her baby in the Nigerian city of Maiduguri stated that she was severally threatened and pressured to take husband among the BH fighters (<http://www.bbc.com/news/world-africa-36023444>).

Operationally, these child soldiers were used for surveillance, intelligence gathering, tracking the movements of enemy forces, hiding of weapons, transportation of weapons, burning of houses as well as serving as human bombs. These were in line with the observations of the Burns (2015) that kidnapped women and girls are used as slaves, intelligence gathers, and to lure targets into a kill zone. They were also used in planting improvised explosive devices (IEDs), attacking crowded markets, mosques, security outposts and camps for internally displaced people (IDPs), educational institutions in northeast Nigeria and the broader Lake Chad region. Meanwhile, in June 2014, six female suicide bombers, all under 16 years of age, were involved in attacks at universities, fuel stations, military barracks and many other support roles. Indeed, a 10-year-old girl was caught with a suicide vest within the same period (Zenn, 2014). As at August 2017, the United Nations stated that about eighty-three (83) children had been used to carry out bomb attacks on civilians and Nigerian military checkpoints, in north-eastern region of the country,

which is the centre of the sect's activities as well as neighbouring Niger, Cameroon and Chad. In all, the UNICEF, noted that more than 110 children were used as suicide bombers since the start of the year – at least 76 of them were girls, majority of whom were below 15 years of age (New York Times, 2017). These children were usually hoaxed with the payment of paltry sum as well as promise of heaven without judgement. Besides, it had been estimated that more than 10,000 children have gone missing over that period, according to UNICEF, while officials say around 40,000 children are now orphans (Hayden, 2017).

Accordingly, the UN verified the use of 90 children for suicide bombings in Nigeria, Cameroon, Chad and Niger, the majority of whom were girls. It also verified the recruitment and use of 1,650 children (Premium Times, 2017), by both the BH, Nigerian military and the Civilian JTF that assist them. This prompted, the UNICEF's country representative, Mr Mohamed Fall (2017) to state:

I will like to call on all the parties in the conflict; mainly the Boko Haram to immediately stop recruiting and using children; the use of children by Boko Haram as a human bomb is particularly disturbing and vulnerable. According to our reports within the last three years, 140 children and mostly girls and even babies are being used as human bombs in North-East Nigeria (<https://www.vanguardngr.com/2017/09/unicef-urges-boko-haram-stop-using-children-suicide-bombers/>).

Specifically, the UNICEF noted that 27 children were used to carry out suicide attacks between January - March 2017, whereas 9 were used within the same period the year before and 30 in all in 2016. The trend was such that between 2014 and 2017 a total of 117 suicide bombing attacks were carried out by children around the Lake Chad basin where the BH operates, with nearly 80 per cent of the bombs strapped on girls (Osborne, 2017), a situation that poses serious challenge on child protection within the volatile northeast Nigeria. Despite military successes against BH, observable realities in addition to records obtained from UNICEF and other aid agencies demonstrated that the group still carries out deadly attacks using children as suicide bombers (Haruna, 2017b). Accordingly, the group used four children in carrying out suicide bombing in 2014 and 44 in 2015 and 30 in early 2016, which represents an 11-fold increase.

Although, there exists at the moment no accurate figure on the total number of child soldiers in the rank of BH; however, UNICEF Executive Director, Anthony Lake, in his speech in Paris, on the anniversary of the Paris Commitments to end the use of children in conflict, noted that the BH terrorist group had recruited about 2,000 children both in Nigeria and neighbouring countries who they use as child soldiers (Arobani, 2017 (<http://thenewsnigeria.com.ng/2017/02/boko-haram-recruits-2000-children-unicef/>)).

**Table 2:** Selected cases of use of children in suicide bombing by the BH group

<b>Date</b>	<b>Perpetrator(s)</b>	<b>Casualties</b>	<b>Place</b>
<b>16th Jan. 2017</b>		A professor at the University of Maiduguri and a child were killed	University of Maiduguri
<b>2017</b>	Two children, thought to be aged 7 and 8 years	17 people had been treated after the explosions, with	Maiduguri market
<b>2016</b>	Two women	At least 45 people were killed and dozens were left injured	A market in Madagali, about 95 miles from
<b>2016</b>	Two teenage girls	Killed 58 people.	Dikwa IDP Camp Borno, where they detonated their explosive vests
<b>2015 Feb. 22</b>	A teenage girl of 8 years	Five people and wounded dozens	Potiskum, Yobe State
<b>June 22, 2015.</b>	a young female suicide bomber detonated her	At least 20 people were killed	A bus station near a fish market in Maiduguri
<b>July 26, 2016</b>	A 10-year-old girl blew herself up	Killed at least 15 and injuring 46.	In a busy market in Damaturu, Yobe
<b>Sep. 2017</b>	A teenage girl	Killed five in Mosque in Northern Cameroon	Sanda-Wadjiri Mosque in remote Maiduguri
<b>March 2nd 2018</b>	Teenage girl bomber	Killed himself and injured two other peoples	A mosque at Fulari area of Buni-Yadi Gujba, L.G.A Yobe State

**Source:** As compiled by the authors

Describing as worrisome the rate at which children were being used in suicide bombing, the United Nations Under Secretary General and Emergency Relief Coordinator, Mr. Mark Lowcock, on September 12, 2017, observed that 80 children were used as suicide bombers by BH insurgent group to kill an estimated 20,000 people in the last eight years (Abubakar, 2017).

Conversely, the United Nations in the 2016 annexes of the UN Secretary General’s Annual General Report for Children and Armed conflict equally implicated both the Nigeria military and the Civilian Joint Task Force (CJTF) assisting it in the fight against BH in recruitment and use of children in their activities (armed conflict). It specifically noted that the CJTF had recruited and used of 228 children, including some as young as 9 years. The report stated that these children were basically used for intelligence-related purposes, in search operations, night patrols, crowd control and to guard posts (<https://www.vanguardngr.com/2017/09/unicef-urges-boko-haram->

stop-using-children-suicide-bombers/). It has been argued that the sect's preference for recruiting children against adults are largely influenced by the fact that children are highly malleable than adults as well as easy break.

### **Tactics used by Boko haram in recruiting children**

BH applies various strategies in its process of recruitment and radicalization children. This section, therefore, attempts an explanation of some of the known ways through which the BH conduct children recruitment. For instance, it has been argued that most of the children, especially teenagers were recruited (by BH) through abduction, kidnapping and enticement with money after which they undergo brainwashing and assault training. While, those that are unwilling to cooperate are punished or summarily executed (Buari, 2014).

**Birth:** This describes the situation in which both or either parents of a child is/are a member of BH. Under this conditions a child that is born by such a parent automatically becomes a BH member, by the virtue of being on into the into the sect tradition. For instance, Abu Musab al-Barnawi, the leader of Islamic State West Africa Province (ISWAP), the son of the late BH, Abubakar Yusuf was born into the sect. Again, children that were given birth to by abducted women or those in colonized (BH controlled) communities fall under this category. This captures the situation of the so-called *bad blood children*<sup>4</sup> that were fathered by BH members through abducted women and girls. Al-Barnawi leads a faction while Abubakar Shekau leads another faction.

**Abduction/kidnapping:** Abduction denotes the action of forcibly taking someone away against the persons will. It can also be seen as the act of making a person to go somewhere with you especially through threats or violence. Over the year, the BH has been abducting people in the northeastern Nigeria and neighbouring countries, especially women and children. Its notoriety in this regard cut the global attention when it attacked and abducted on April 14<sup>th</sup>, 2014 an estimated 276 school girls Chibok community in Borno State. Also during one of its operation between December 7 and 14, 2016 in Sambisa forest, the Nigeria Army rescued about 605 women and children. The breakdown of the figure was: 69 male adults, 180 females, 227 male children and 129 female children (<http://pulse.ng/local/boko-haram-army-rescues-605-women-children-in-sambisa-forest-id5897544.html>). Again, BH on February 19<sup>th</sup> 2018 attacked and abducted an estimated 110 students of Government Girls Science and Technical College (GGSTC) Dapchi in Yobe State. Besides, it was not long after the Chibok girl's abduction that BH started deploying young girls on suicide mission.

Although, as stated earlier, there is at the moment no actual known number of people, who have either been abducted or kidnapped by BH. It has been observed that

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<sup>4</sup> These are children that were born by women freed from BH captivity. The women were usually impregnated by BH members before their mothers regained their freedom from the sect.



at least 4,000 girls, boys and young women have been abducted by the sect (UN Office of the SRSG for Children and Armed Conflict, 2017).

**Payment/enticement:**

BH also recruits children through monetary inducements and other non-financial enticements, who they in turn use in conducting surveillance and reconnaissance on security posts, checkpoints, movements as well as readiness of security personnel. For instance, in June 2013, young suspects who were rescued and released by the military claimed BH paid them 5,000 naira each (about \$30 U.S. dollars) to set ablaze schools in Yobe and Borno states, and to spy on soldiers. One of them noted that they watched out for the soldiers at their units and report back to BH when the soldiers were at ease or enjoying themselves and when they were off guard (Alechenu, 2013). Again, BH exploits the high level of material wants in the country which serve as cognitive opening for their recruitment and radicalization of children through fabled promise of and/or actual provision of their material wants especially food.

**Indoctrination/Promise of heaven:** indoctrination is the process of teaching a person or group to accept a set of beliefs uncritically. Also, it the process of teaching or inculcating a person with ideas, attitudes, cognitive strategies, a doctrine, principle or ideology, especially one with a specific point of view that pupil is not permitted to question or criticize. It is also another means through which BH recruit children for its crusade. Usually, these unsuspecting children were brainwashed into believing that their religion requires or considers it an injunction for them to join in the fight against infidels and the equally infidel political government (Nigeria state). Again, BH through its narrative promise these kids eternal reward in heaven should they be martyred while participating in the crusade. This position is corroborated by the account of three teenage girls that were recruited and mobilized by BH to carry out suicide attack in the Dikwa IDP camp where they were intercepted by security forces. The girls stated that they were promised paradise (heaven) for their sacrifice and involvement in the mission (Soy, 2016). Again, an 18-year-old woman that was arrested by security personnel with explosive vest in Maiduguri stated during interrogation that she was paid ₦200 by militants who instructed her to detonate the explosives anywhere she sees crowd with the promise of heavenly (Osborne, 2017).

**Donation/Threat and Coercion:** In terms of donation, some parents give out their kids to BH either as their way of demonstrating their allegiance and/or support to the crusade or as a means of ensuring their security as well as some other economic benefits that go with such act. On this note, the Nigerian army confirmed this when it observed:

The Nigerian Army wishes to appeal to religious, traditional and community leaders, as well as all well-meaning Nigerians, especially in the North-East of our country, to help dissuade people from donating their daughters or wards to Boko Haram terrorists for indoctrination and

suicide bombing missions. This appeal became expedient in view of recent revelations by some intercepted female suicide bombers during interrogations. It was discovered that most of these hapless minors were 'donated' to the terrorist sect by their heartless and misguided parents and guardians, as part of their contribution to the perpetuation of the Boko Haram terrorists' dastardly acts against the Nigerian society and humanity.

In the same vein, BH also forcefully acquires these kids by threatening parents into surrendering their young children. They also coerce children into joining the campaign by threatening to kill their loved ones: parents, brothers, sisters, and other relatives if they fail to comply (Ibekwe, 2017). In terms of method, the sect usually takes their recruits away from the immediate community to where they manipulate, brainwash and disorient them. These include among others: drugging, brainwashing, hate speech/sermon, demonstrative effect *et cetera*. They also expose these children to various forms of violence and atrocious crime such as killing, especially in their community. This, it has been suggested serve as the most effective way of disconnecting new recruits from whatever bond they may have had with their families, friends and communities, which is targeted at creating in these children a sense of isolation and depression that will result in Stockholm syndrome.

#### **Child soldier, suicide bombing and its effects on children in the Northeast**

Recruitment and use of children for military purposes is harmful for a number of reasons. Whereas conflict by its nature produces various negative effects on any society that witness; however, experience have shown that children suffer more than adults from the detrimental effects of violent conflict; owing to the fact that it occurs at the formative days of their lives and as such denies them the conducive environment for psychological, physical and intellectual development.

Accordingly, taking part in BH suicide bombing or suicide terrorism directly affect the children involved either through severe injury, permanent disability and untimely death. Besides, the involvement of children in armed conflict disrupts their development, health, education and general well-being. Again, their use in military operations and other support roles affect them psychologically. For instance, in situation where a child witnesses rape, murder and was compelled to commit many atrocious crimes against his community especially killing the own parents, siblings as well as relatives, is particularly harmful to a child, that is still developing psychologically and emotionally. Under normal condition, the experience creates serious case of post-trauma stress disorder (PTSD) in the child. Accordingly, the Nigerian military had reported that some of the children it rescued from BH rank have been manifesting signs of abnormal behaviours as a result of the indoctrination process and inducement through the use of hard drugs (Burati, 2014). Also, girl child soldiers suffer high risk of being sexually abused, impregnated and forced into marriage by the combatants; a trauma that live with them the rest of their lives. Furthermore, military trainings of these children are designed to break children down

psychologically until they obey commands without question, which can alter their personality in the long term (<https://www.child-soldiers.org/how-is-recruiting-children-harmful>).

Indirectly, it affects children by creating social distance between them, their parents and larger community; in addition to distrust, stigmatization, rejection and ostracism as well as psychological and physical abuse. The increasing use of children for suicide bombing by the BH sect breeds suspicion and fear for children in communities that fall within the operational base of BH, most especially for those children that were either released or escaped from the dungeon of the insurgents. On this note, Adebowale (2017) stated that most children that succeeded in finding their way out of BH captivity suffer rejection on their return to their communities.

The use of children in such attacks has created suspicion and fear of children who have been released, rescued or escaped from Boko Haram. As a result, many children who have managed to get away from captivity face rejection when they try to reintegrate into their communities, thereby compounding their suffering (<https://ynaija.com/the-activism-blog-unicef-condemns-rising-wave-of-child-suicide-bombers/>).

This explains the fate of one 16-year-old girl from Chad that lost her legs after being drugged and compelled by BH to take part in a failed suicide attack on a crowded market. Though, she survived the mission but, her family rejected her (source). The possible implication of this sort of rejection by parents and communities is such that it creates a psychological sense of abandonment and neglect that can compel these children to return to BH fold and their consequent re-radicalisation. Society's rejection of these children, and their sense of isolation and desperation, could be exposing them to risk of possible re-recruitment and the promises of martyrdom through acceptance of dangerous and deadly missions.

In the same vein, some of the children that were abducted and maintained as child soldiers who managed to escape found themselves being subjected to various levels of molestation, victimization, abuse and segregation against by the people in whichever community they found themselves. In the light of this, Khadija, a 17-old girl from Cameroon that was abducted and forced into marriage by BH combatants, while narrating her ordeal in the hands of fellow women in the camp where she was being quartered after being rescued from BH captivity, noted:

Some women would beat me, they would chase me away. They said, 'You are a Boko Haram wife. Don't come near us! If I used their washing basin to clean, they would say, 'You are a Boko Haram wife! Don't touch our basin.' Everywhere I went; they would abuse me and call me a Boko Haram wife (*The Guardian*, 2016).

Similarly, Anita (n.d) observes:

Many people view these women, girls and their children as a direct threat fearing that they have been indoctrinated and radicalized by JAS

[Jama'atual ahl al-sunnah li da'awati wal jihad in the name of the group commonly known as Boko Haram]. The recent increase in the use of female suicide bombers throughout Nigeria including under 18 year-olds, has also reinforced the widely held belief among many that women and girls exposed to JAS [whether by force or voluntarily] are contributing to the overall insecurity in the region. <https://answersafrica.com/bad-blood-babies-and-boko-haram-legacy-why-the-government-should-care.html>

In such climate of violent insurgent conflict in the northeast and the greater Lake Chad region, the mere sight of children at public places like markets, police checkpoints, military outpost, mosques *et cetera* generate trepidation and suspicion in people, which had resulted in the arrest and detention<sup>5</sup> of an estimated 1,500 children across the country's in the lake Chad region (namely, Nigeria, Cameroon, Niger and Chad) in 2016 (UNICEF's Marie-Pierre Poirier, 2007). Regrettably, a number of innocent children have met their untimely death in the hands of security operatives that mistook them for BH child soldiers. Indeed, the UN reported that 13 children aged 11 to 17 years were killed after they were wrongly suspected to be suicide bombers in the last quarter of 2016 (*New York Times*, 2017).

Contrarily, to popular opinion and sentiments it was observed that most of these children were not criminals and murderers as BH would want to have us believe. In fact, they usually drug these kids where brainwashing and indoctrination fail to yield the expected result, before deploying them into the field on suicide mission. The accounts of the Fatima, a 16-year-old girl that was rescued by the military were instructive in this regard - "I didn't want a situation where I'm the reason anyone dies (Hile, 2017). Again, another rescued girl, Aisha, who was 15-year-old, stated as follows, "They said to me, 'Are you going to sleep with us, or do you want to go on a mission?'" (<https://www.nytimes.com/interactive/2017/10/25/world/africa/nigeria-boko-haram-suicide-bomb.html>). This indicates that most of these child suicide bombers were pushed into the act by the mindless and bloodletting BH against their wish.

### **Conclusion/Recommendations**

The study investigated the terrorist ideology of BH that is behind its recruitment of child soldiers and their use in suicide bombing, which contradicts both national and international legal regimes on the involvement of children in conflict (suicide bombing). The analysis demonstrated that apart from those that were born into the BH; there are push and pull factors in BH recruitment of children as child soldier. In the former, BH abduct and/or kidnap children from schools and communities, compel parents to donate their children in exchange for security, threaten children with the death of loved ones *et cetera*. On the other hand, some

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<sup>5</sup>This captures the situation in which children that were intercepted at checkpoints and such other public places like checkpoints, market etc were taken into administrative custody for questioning and screening that usually last for a very long time without being released.

children join BH on their volition due to the monetary payment, enticements, revenge for past grievance or as a means of surviving the social dislocations that were occasioned by the conflict. It was observed that the involvement of children in BH insurgent crusade have a number of negative effects such as: untimely death (both through detonation and in hands of the security agencies), severe and permanent injury, arrest and detention by security agencies, sexual abuse, stigmatisation, ostracism, isolation, manifestations of posttrauma stress disaster (PTSD), maladjusted behaviour etc. It also sows seeds of suspicion and lack of cohesion as communities develop phobia for its children thereby making post-conflict reconciliation and reintegration of these kids a difficult task.

Moreover, the recruitment of child soldiers denies them of their education and development that should imbue in them the requisite skills for adult life. This suggests that even where these children have been successfully deradicalised, rehabilitated and possibly reintegrated into the society; they still lack proper human capacity for normal adult life. Hence, they pose even a greater risk of being re-recruited as the next insurgents. The point to note is that parents, communities and the general public should understand and treat these children as victims of the conflict and not as perpetrators. This it is hoped will help to build trust, develop in them the proprietary sense of belonging that will keep them away from BH, improve their psychological wellbeing that will enable them socialize and integrate well with the rest of the society.

The findings of the study suggest BH is a strategic and well-organized organization in its *modus operandi* and approach to recruiting child soldiers. Hence, understanding some of the ways in which the BH recruits, manipulates, use and the psychological impact of military training that is meant to break or alter the personality of the children, radicalization and indoctrination enable reintegration programs to more effectively address these issues and serve the complex needs of formerly abducted children. Also, in order to dry up BH pool of child recruits into its rank; especially those who their parents either donates or that voluntarily join the BH as a means of survival; government should ensure proper development and good governance.

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