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# Interrogating the Effectiveness of Nigeria’s Counterterrorism Efforts and the Variation in Boko Haram Terrorism Trajectory[[1]](#footnote-1)

## Abimbola Joseph OWOJORI, Emmanuel Olawale FASUAN, Oladapo Mayowa ILORI & Kareem A. MATANMI

### Abstract

*This paper examines the effectiveness of Nigeria’s counterterrorism efforts since 2009 from the perspective of the variation in Boko Haram sect’s trajectory and organisational capability. Given that the goal of counterterrorism is degradation of terrorists’ operational capabilities and circumvention of their armed hostilities, this study argues that Nigeria’s counterterrorism techniques, measures and campaigns have not been effective to the extent that the Boko Haram sect has remained resilient. By examining the group’s operational capacity, organisational basing, political ties, and myriads of armed hostilities, the study concludes that Nigeria’s counterterrorism approaches and efforts need to be holistic and more strategic to achieve desirable counterterrorism outcomes.*

**Keywords**: Boko Haram, counterterrorism, insurgency, Nigeria, terrorism trajectory

### Introduction

While Nigeria has devised various means to counter the Boko Haram terrorism, yet the trajectory has continued to grow. Thus, terrorism in Nigeria continues to raise serious concerns and has been extensively studied in the last ten years, in terms of its causes and the ensuing violent activities. Boko Haram’s over a decade onslaught on Nigeria and the counter-violence of Nigeria’s defence and security forces have reportedly cumulated in the deaths of 38,683 persons between May, 2011 and 1st June, 2020 (Campbell, 2020). Similarly, a report by United Nations High Commissioner for Refugees (UNHCR) indicated that Boko Haram violence has caused the displacement of more than 2.5 million people within Nigeria alone and constitutes a complex humanitarian emergency in the Lake Chad Basin (UNHCR, 2019). Thus, these decade long carnages necessarily warrant scholarly scrutiny of the effectiveness of the countermeasures put in place by Nigeria’s administrations since 2009 that led to deadly confrontation between the terror group and Nigeria's security and defence forces.

This study interrogates the dynamics of Nigeria’s counterterrorism efforts since 2009 with the intent to unravel the extent to which Nigeria has made progress or otherwise. There have been a good number of studies on terrorism and counterterrorism focusing on militaristic approaches (Mir, 2018; Garcia-Alonso *et*. *al*., 2016; Dulin & Patino, 2019), while others have explored the non-military approaches to combating terrorism (Olojo, 2017; Hansen & Musa, 2013; Hansen, 2017; Tella, 2018). Largely, Nigeria has focused on the military approach for countering Boko Haram terrorism, but the country has also experimented with the soft approach. Thus, this article brings a new perspective to the debates on counterterrorism approaches in Nigeria by evaluating the outcomes of militaristic and soft power strategies. This way, the study evaluates Nigeria’s counterterrorism efforts since 2009 by looking at the variation in the Boko Haram’s trajectory, i.e. the group’s operational capability, organisational basing, political ties, and capacity for armed hostilities. The study conceptualises counterterrorism to be degradation of the terrorists and reduction in the terrorist violence using mechanisms such as military operations, negotiation, transitional justice efforts and provision of development aid. Findings, however, reveal that while some impressive efforts have been made and some successes recorded, there is need for more holistic and strategic counterterrorism approaches in Nigeria.

Methodologically, the study is a qualitative research that relied on both primary and secondary data sources. The research evolved over September 2018 and April 2020 in different locations in Nigeria, where senior military officers, scholars at the Nigerian Institute of International Affairs and Universities, and defence and security experts in Nigeria were interviewed. Additionally, a former United State Department of State official was interviewed via online platforms. The study also drew from secondary data sources, including high impact peer-reviewed journal articles, newspapers, books and reliable internet sources.

Discussions in the study are divided into four sections starting with an assessment of the current state of the literature on terrorism and Nigeria’s counterterrorism efforts, because it is useful to take a periodic stock given the unfolding nature of terrorism in Nigeria. The second section discusses the counterterrorism programmes of the successive Nigerian administrations. The third identifies counterterrorism pitfalls that have resulted in counter-productive outcomes in Nigeria, such as political issues, the corruption-laden defence sector and poorly modernised security and defence forces that unfortunately work at cross-purposes, and deficient external counterterrorism assistance. The fourth analyses how the growth in Boko Haram’s trajectory and operational capabilities constitute evidences of shortcomings of Nigeria’s counterterrorism efforts.

### Terrorism and Counterterrorism in Nigeria: Review of Literature

No doubt, terrorism has become a global pandemic to contemporary human civilisation and poses grave existential threats to humanity, making citizens of several nations susceptible and forcing many to constantly live in anxiety and perpetual fear. Although there is no universally accepted definition of terrorism, but Hoffman (2017a) describes terrorism as a threat to carry out violent behaviour or actual deployment of violence to achieve political or ideological goals. Enders and Sandler (2012) describe terrorism as a premeditated threat or actual use of violence in which persons or non-state groups that have a socio-political objective express their positions by intimidating or outrightly victimising a large population that are not themselves the target but rather used as means to an end.

Hansen and Musa (2013) and Hansen (2017) contextualised terrorism in Nigeria within the above arguments by submitting that the emergence of terrorism in Nigeria is an uprising by the socially marginalised, the dreg of humanity and the abused against the parasitic and predator ruling elites. Faluyi *et*. *al*. (2019) put terrorism in Nigeria in perspective when they argued that Boko Haram is a personification of domestic socio-political and economic challenges with a degree of religious influences.As these above arguments imply, the violent individuals or groups resort to employing terrorism to attract attention to their political goal, having realised that they are never able to use the normal political process to achieve their goals. Using the frustration-aggression and the state-failure theories, Maiangwa *et*. *al*. (2012) also traced the inevitability of terrorism in Nigeria to the deficiency in the national security architecture, official corruption, and overwhelming use of military power, socio-economic problems and dilapidated infrastructures.

Although terrorism is a centuries-long problem for humanity as revealed by Rapoport’s (2012) thesis on the activities of the Thugs, the Assassins and the Zealots Sicarii, the scourge is a relatively new national security challenge to Nigeria given that it only became a monumental problem from 2009 (NACTEST, 2016; Solomon, 2015:85). But notwithstanding the relative newness of Boko Haram carnages, MacEachern (2018:180) reminded us that terrorist violence in Nigeria is an outcome of historical processes in the Lake Chad Basin over a few centuries.

However, there are also an avalanche of studies on counterterrorism generally and the Nigerian experience in particular. Mir (2018) asserts that counterterrorism could be effective when a state uses its kinetic mechanism for either arresting or killing the terrorists’ commanders and cadres, in addition to wreaking damages to the sect’s infrastructure. Dulin and Patino (2019) on their part argued that coercive counterterrorism measures may likely produce either backlash or deterrence. With focus on Nigeria’s counterterrorism efforts, Dulin and Patino (2019) observed that community inclusion in the counterterrorism operation leads to deterrence for terror attacks as in the case of inclusion of Civilian Joint Task Force, while unilateral operations by the defence forces has the backlash effect in which terrorists continue reprisals. But while acknowledging the significance of community inclusion in counterterrorism efforts, Mir (2018) argued that such is necessary for the sake of civilian protection for normative issue but not for any strategic reason.

According to Solomon (2015), a major target of counterterrorism is the weakening of terrorist group and its political appeal, while seeking to deter attacks with the use of the military, intelligence and police apparatus, which is why counterterrorism tends to be a militarised policy. This scholar further observed that counterterrorism measure in Nigeria are counter-productive and exacerbating the existing tensions. And given the ineffectiveness of the militarised approach to end terrorism, a more holistic approach to assessing counterterrorism effectiveness in Nigeria is necessary (Solomon, 2015). Other studies have also been critical of counterterrorism strategies of Nigeria. For instance, Waldek and Shankara (2011) and Udounwa (2013) faulted Nigeria’s predominant reliance on military approach, and Loimeier (2012) argued that since terrorism was caused by the peculiar ethnoreligious, socio-economic, political situations of Nigeria’s northern hemisphere, only by addressing those challenges that allow youths to be radicalised can Nigeria get out of the wood.

According to Higazi (2013), Nigeria’s counterterrorism approach is considered faulty *ab initio* because it started with the use of brute force instead of using the judicial process. Given the arguments against the reliance on excessively militarised counterterrorism approach, therefore, Bakare (2016); Tella (2017); Olojo (2017); and Aghedo and Osumah’s (2012) suggestions of using Barry Buzan’s soft power approach appear to justify the Nigerian government’s Operation Safe Corridor.Leach (2016) and Umar (2013) are also in favour of using good governance and development to address the problems of terrorism in Nigeria.

Arising from positions of the authors above, this study contributes to the body of knowledge and existing debates on the subject matter by providing a new perspective to the analysis of the counterterrorism efforts in Nigeria. Thus, this study fills a research gap on Nigeria’s counterterrorism experiences over a decade by looking at the outcomes from variations in the various strands of capabilities of the Boko Haram group. To start with, the next section of this article makes an overview of counterterrorism programmes and strategies of Nigeria since 2009.

### Nigeria’s Counterterrorism Approaches since 2009

The Boko Haram sect (together with its splinter faction known as Islamic State West Africa Province –ISWAP) began its violent campaigns in 2009 (Campbell, 2019), and are believed to have gained inspiration, ideologies, training and funding from Islamic State (ISIS), al-Qaeda and al-Shabaab (Zenn, 2016; Zenn, 2018a). A 2018 report claimed that the sect is the fourth deadliest terrorist group globally (Institute of Peace and Economics, 2018), while the sect’s activities caused 1,254 deaths in 2017 alone (Dudley, 2018).By way of origin, the nomenclature “Boko Haram” is the pseudonym for *Jama’atu Ahlis Sunna Lidda’awati Wal-Jihad* (JAS) or People Committed to the Propagation of the Prophet’s Teachings and Jihad (Onapajo & Uzodike, 2012). The pseudonym was reportedly invented by the local population where the group started its activities, but assumed global popularity through the mass media and has found its way into the global security and political lexicons (Onapajo & Uzodike, 2012). According to Adesoji (2019), the sect reportedly began operating clandestinely from around 2002, and capitalised on decades-long national challenges such as abject poverty, failure of the political elites, ethnic nationalism and ethnoreligious power struggles to recruit its foot-soldiers (Onapajo *et*. *al*., 2012).

Efforts by the Yar’Adua administration to keep the group at bay led to the group’s confrontations with security forces in 2009, which made some scholars to describe the initial state approach as “dispatching state security agencies without any strategy to address the root-cause of terrorism” (Faluyi *et*. *al*., 2019: 4-5). Subsequently, the government launched and deployed troops for “Operation Flush” in 2009 (Falode, 2016a; Falode, 2016b). The administration’s approach proved counterproductive, because the clampdown only resulted in arrests, extrajudicial deaths of some of the sect’s members and eventual reprisal onslaughts on the Nigerian Police formations in Bauchi and its adjoining states (Adesoji, 2019). Although the group suffered casualties in 2009, its surviving commanders went underground and resurfaced in 2010 with large-scale savagery (Gilbert, 2014).

As things escalated, Nigeria began legal, operational and strategic counterterrorism efforts by enacting the Terrorism (Prevention) (Amendment) Act (TPA), in 2011 and amended in 2013. While the TPA 2013 serves as the legal framework for Nigeria’s counterterrorism efforts, the National Counter Terrorism Strategy of 2014 (NACTEST), which was amended in 2016 is in effect the counterterrorism operational and policy framework (Eme, 2018; Mentone, 2018). In 2017, Nigeria again enacted another counterterrorism policy known as Policy Framework and National Action Plan for Preventing and Countering Violent Extremism (PCVE) (Mentone, 2018).

In December 2011, the Jonathan administration responded to the brewing Boko Haram violence with the declaration of an emergency rule in six states affected by the scourge (Felter, 2018). As things further escalated, President Jonathan further declared an elaborate emergency rule in Yobe, Adamawa and Borno States around May 2013 (Felter, 2018). From the operational perspective, efforts to quell Boko Haram’s violence made the government to launch the Special Military Joint Task Force (SMJTF) called Operation Restore Order between December 2011 and August 2013 (Falode, 2016a; Falode, 2016b). The Joint Operations involved about 100,000 personnel from the Nigerian Army, Nigerian Immigration Service (NIS), the Nigeria Police, the Defence Intelligence Agency (DIA) and the Department of State Security (DSS) (Falode, 2016a; Falode, 2016b). Operation Restore Order was replaced with “Operation BOYONA” in May 2013, to address the ‘domino dynamics’ of Boko Haram violence that had by then extended from Borno to the neighbouring Adamawa and Yobe States. There was a further restructuring of the operations in August 2013, which led to the launching of Operation Zamani Lafiya (Omanma *et*. *al*., 2020). More so, force reconfiguration to combat terrorism led to the establishment of the Nigerian Army (NA) 7 Division in Maiduguri with the specific mission of containing and rooting out terrorists, while troops from the NA 7 Division eventually formed the nucleus of Operation Lafiya Dole in 2015 (Interview with a Nigerian Air Force Commander, January 2019, Lagos). To address the shortcomings with the Nigerian Military capabilities in terms of materiel, the Jonathan administration sought to procure defence hardware (especially air platforms), but such efforts got stonewalled by the United States over the allegation of human rights violations (Interview with a Nigerian Army Colonel, October 2019).

However, the military operations were at some point augmented with the local volunteers known as Civilian Joint Task Force (CJTF), who were residents such as youths, hunters, vigilante groups, and farmers that were themselves indigenous people from the terrorism ridden towns and villages (Adesoji, 2019). Given their good knowledge of the terrain and demographics, the CJTF operationally became the *de facto* intelligence apparatus for the main military operations, and in several instances acted as the first line of defence against the terrorists (Adesoji, 2019). In a particular instance, the CJTF in March 2014 foiled a planned bombing of an IDP camp in Maiduguri (Adesoji, 2019). The group’s contributions to the counterterrorism efforts in the hot spots informed why some of its members got enlisted into the Nigeria’s defence and security forces (Kazir, 2017).

Nigeria’s government under Jonathan administration also contracted private military outfits to aid counterterrorism efforts in the northeast. In this regard, the South African based Specialised Tasks, Trainings, Equipment and Protection (STTEP), played prominent roles in the clearing of the Boko Haram sect from the occupied territories in early 2015 (Campbell, 2015). An expert recounted the significant contribution of the STTEP by submitting that:

The only significant and undeniable strategic achievement that can be pointed out about Nigeria’s counterterrorism efforts is the liberation, by the Nigerian military in cooperation with international security consultants (mercenaries), of northern Adamawa State and some areas of Borno State in early 2015. Those actions seem to have blunted Boko Haram’s efforts to capture and hold large swaths of territory anymore (Interview with Matthew Page, Chatham House, London, via online, October 2019).

However, Nigerian administration had similarly employed the carrot approach, especially with efforts to negotiate with the terrorists. For instance, in August 2011, the government inaugurated a Presidential Committee to dialogue with the sect, an effort that was previously championed by the nation’s former Chief of State- Olusegun Obasanjo in the same year (Agwu, 2013).But if there is any counterterrorism effort that has hardly seen the light of the day in Nigeria, it the aspect of negotiation with the Boko Haram sect. All such efforts broke down and the sect simply resumed armed hostilities against the country from 2011 (Agbiboa, 2013).Even when the government made a further attempt with the inauguration of another Dialogue and Peaceful Resolution of Security Challenges in the North Committee- at the time called Dialogue Committee- in April 24, 2013 (IRIN, 2012), it also did not have any tangible results as Boko Haram only continued with its wanton destruction in the northeast (Thurston, 2013). But the failure of dialogue notwithstanding, the Nigerian government under Jonathan administration continued with the soft power counterterrorism approach. Such effort led to the creation of the Presidential Initiative in the North East (PINE) in 2015 as a platform for addressing the rampant socio-economic problems in the northeast. (Gado & Sanusi, 2019).

By May 2015, however, with a regime change in Nigeria, the kinetic aspect of counterterrorism efforts saw another force reconfiguration and replacement of Operation Zamani Lafiya with Operation Lafiya Dole (compulsory peace) in July 2015 and creation of a North East Theatre Command in August 2015 (Gado & Sanusi, 2019). Since the emergence of the Buhari administration in 2015, there have been several military operations for decimating the materiel capacity of the terrorists. Examples are Operation Crackdown (April 2016); Operation Rescue Finale (December 2016); Operation Deep Punch (July 2018); and Operations Last Hold (April 2018) (Omenma *et*. *al*., 2020).

In 2016, Nigerian military improvised for its force reconfiguration by adopting the “relentless pursuit” strategies of the South Africa’s STTEP that helped Nigeria in dislodging the terrorists from the occupied territories in early 2015 for the creation of “combat motorbike battalion” (Osakwe & Audu, 2017). Troops in the battalion were able to mobilise for faster and flexible operations with an element of surprise in responding to terrorist onslaughts, which brought some improvement and effectiveness to the kinetic manoeuvring of the Nigerian forces (*The Punch*, 2016).Similarly, in August 2017, the 3 Mobile Strike Teams (MST) under the Operation Lafiya Dole Command was created with operational responsibilities of conducting long-range patrols and carrying out deep hinterland ambushes against the terrorists (*The Punch*, 2016).From the international dimension, around late 2015, the Buhari administration championed the West and Central Africa’s Multinational Joint Task Force (MNJTF), which led to improvised joint multinational actions against the Boko Haram by Chad, Niger, Cameroon and Nigeria (Nigerian Army, 2017). Efforts of the MNJTF paid off with some military gains and security improvement in parts of the north-eastern Nigeria (Falode, 2016a; Falode, 2016b).

The administration equally continued with the carrot approach by launching counter-narrative initiative against insurgency ideology (Brechenmacher, 2019),implementation of which is done with the involvement of vetted religious clerics, and had started from the internally displaced persons’ (IDP) camps and extended to the hotbed of terrorism in Nigeria (Interview with a former GOC Nigerian Army 82 Division, December 2018, Lagos). There has also been the adoption of transitional justice mechanism approach to countering terrorism in Nigeria in the form of de-radicalisation, rehabilitation and reintegration programmes, part of which is the famous Operation Safe Corridor (OPSC) (Bukarti *et*. *al*., 2019:9; Felb-Brown, 2018). Starting from late 2017, a North East Development Commission (NEDC) was created for reconstruction and development of the region to consolidate the mandate of the previous Presidential Initiative on the North East (PINE) established in 2015 under the Jonathan administration (Kieghe, 2019; Gado & Sanusi, 2019). NEDC has equally taken over the previous mandate of the 2016 Presidential Committee on the North-East Initiative (PCNI) and the activities of the Victims Support Fund (VSF) (Tukur, 2019; Victim Support Fund, 2019).

Lastly, whereas the successive Nigerian administrations have made laudable efforts to end terrorism, but the problems are far from being over and the counterterrorism victory claims by the incumbent administration seem unjustifiable with the unfolding dynamics of events. Even though the Boko Haram terrorists have been dislodged from the territories previously occupied and now operating mostly from remote areas, the sect’s disruptive activities continue to hamper Nigeria’s peace and development. However, the shortcomings in the counterterrorism efforts and factors militating against the generality of counterterrorism architecture of Nigeria are discussed in the next section.

### Challenges Facing Nigeria’s Counterterrorism Approaches

Terrorism has gravely impacted on Nigeria as a result of the flaws in the country’s counterterrorism responses. This is why critics and observers have described the government’s pronouncements about defeating the Boko Haram sect as premature claims, misplaced beliefs and exaggerations (Freeman, 2018). Top on the list of apparent challenges facing counterterrorism in Nigeria is the lack of political will, politicisation and ‘ethnicization’ of terrorism. For instance, when the problem started, there were a lot of back and forth accusations from the political elites and even within the religious circles (Interview with Dr Hakeem Onapajo, December 2018). At the infancy of terrorism in Nigeria, the opposition parties claimed it was the creation of the then ruling party, while the then ruling party also accused the opposition of creating Boko Haram as its foot soldiers to frustrate the then incumbent administration out of power (Jonathan, 2018). In a particular instance, the former President Jonathan openly declared that Boko Haram was the violent campaign by the opposition party against his government and that the group’s sympathisers had even infiltrated his government (Jonathan, 2018). The problem also manifested in the debates among the religious groups in which the Muslims and Christians accused one another of being responsible for terrorism. These development deepened divisions, controversies and confusions within the Nigerian society, while the disunity simply allowed the terrorists to destabilise the country (Onapajo, 2016).

Another challenge that had militated against Nigeria’s counterterrorism efforts is the menace of corruption, as seen in the reported misappropriation of funds meant for counterterrorism operations under Jonathan’s administration (Banini, 2020).As alleged, it was either those responsible for arms procurement did not buy the critically needed weapons at all, or where they bought, they simply settled for substandard and outdates ones (Interview with a former GOC Nigerian Army 82 Division).This development, by implications, exposed the Nigerian forces to further incapacitation and eroded their confidence to the extent that Nigerian troops were running away from their formations or war front.

More disturbing shortcoming with Nigeria’s counterterrorism efforts is the unhealthy bureaucratic rivalry among the defence and security services, creating failure and inefficiency in intelligence gathering and utilisation (Zenn, 2013; Zenn, 2017). Closely related to the lack of synergy is the existence of Trojan Horses in the country’s defence and security set up, as is the case in which classified security information about the movement of a sitting President got leaked by a saboteur in 2014 (Agwu, 2013; Jonathan, 2018).The problem of Trojan Horses, the unpatriotic and incompetent elements, has been linked to how terrorists have sometimes gained access to armoured personnel carriers (APCs), Tanks and other equipment looted from the Nigerian forces (Agwu, 2016: 928-929).However, how these shortcomings have played out in helping Boko Haram grow in its trajectory is examined in the next section.

### The Effectiveness of Nigeria’s Counterterrorism Efforts and the Variations in Boko Haram’s Trajectory and Operational Capabilities

With huge defence and security spending of N4.62 trillion Naira (roughly USD 14 billion) between 2011 and 2015 alone (Olufemi, 2015),yet Nigeria has remained in the terrorism quagmire. At the peak of Boko Haram violence, the country allocated 13.5% and 20% of its annual budget for security and defence in 2013 and 2014 respectively (Banini, 2020: 142). There are also security votes of about N241.2 billion (USD 670 million) at the federal level and about USD 580 million at the state level annually (Page, 2018). For fiscal year 2020, Nigeria has budgeted USD 1.5 billion for defence spending (Olanrewaju, 2019), whereas the defence sector continues to be plagued by corruption which has contributed to the counterterrorism ineffectiveness as Nigeria continuously remains the third most terrorised nation in the world (Institute for Peace and Economics, 2019). Therefore, this section situates counterterrorism effectiveness within the variation in Boko Haram’s trajectories and capabilities, looking at how the group has grown in terms of operational prowess, organisational basing, political relationships and armed hostilities.

#### Dynamics of the Boko Haram’s Operational Capability and Resources

The operational prowess and resources of the terrorists refer to the group’s financing, tactics, training facilities, making of explosives and maintenance of explosives factor, and the use of military equipment. Since the goal of counterterrorism is to neutralise the terrorists, therefore, the major evidence of counterterrorism pitfall in Nigeria is the Boko Haram’s continued access to funding that has served as oxygen for terrorists. Sources of Boko Haram’s financing have ranged from membership fees, extortion from the local population, external funding and support from local sympathisers, kidnapping, illicit drug trafficking etc. (Rock, 2016). To understand how financing serves as oxygen for terrorist violence, we can look at how the United States and the international community circumvented global terrorist financing after the September 11 led to the interception of about USD 147.4 million in July 2005 and effectively altered the spate of terror attacks (Rock, 2016). Unfortunately, Nigeria’s counter-Boko Haram measures have not detected and blocked the group’s sources of funding, which also constitute a failure in the so call counterterrorism cooperation between Nigeria and its partners such as the US.

Another dimension of growth in the Boko Haram trajectory and operational capability could be seen in how the sect that began with hit-and-run guerrilla tactics has graduated to the use of knives, machetes, locally made guns, clubs, Molotov cocktails (petrol bomb) and swords, drive-by shootings, and now bombings (Adesoji, 2019). The sect effectively resorted to suicide terrorism using vehicle-borne explosive devices, and used the YouTube for propaganda (Falode, 2016b). Similarly, Boko Haram has continued to possess heavy military equipment with which it has sometimes outgunned Nigerian forces. Nigeria, however, caused the group a setback around 2015 and 2017 following the recovery of some RPGs, anti-aircraft guns, 213 General Purpose Machine Guns, 120 PKM shells, 4 rocket-propelled guns and 1,255 anti-aircraft munitions from the sect (Banini, 2020). But if the events since late 2018 is anything to go by, it then appears that Boko Haram still enjoys growth in its operational prowess trajectory. For example, the Theatre Commander of Nigeria’s largest domestic military expedition against Boko Haram recently lamented the shortfalls in the Nigeria’s military capacity and the imminent superior firepower of the Boko Haram sect (Haruna, 2020). According to such recent reports, Boko Haram still has over 100 mortar bombs, about 100 RPGs (Haruna, 2020), several Gun Trucks etc., all of which are pointers to the resilience of the group and failure of counterterrorism efforts.

#### Organisation Basing of the Terrorists in Nigeria

As Bruce Hoffman (2017b), the famous Doyen of terrorism studies scholars has noted, terrorism is in modern times sustained and nourished by the availability of sanctuary and the safe-havens for the merchant of violence, which counterterrorism efforts should properly address. Boko Haram has consistently maintained organisational basing from the time of its emergence, which became more daring when the sect took to insurgency tactics and territorial acquisition leading to its infamous declaration of a jihadi Islamic Caliphate headquartered at Gwoza around 2013 (Weeraratne, 2017:617-618). However, Nigeria achieved a strategic counterterrorism success with the early 2015 liberation of north-eastern territories, ostensibly with the help of international security mercenaries know as Specialised Tasks, Training, Equipment and Protection- STTEP (Campbell, 2015; Interview with Matthew Page, October 2019). After all, the sect appears to have been unable to capture and hold large expanse of territory till date. A further victory was the capturing of ‘Camp Zero’ hideout of the sect in the Sambisa forest (Banini, 2020:146).

But Nigeria’s territorial liberation noted above notwithstanding, the dynamics of the unfolding events from late 2018 points to resilience of the Boko Haram sect in terms of organisational basing. For instance, a Boko Haram faction (ISWAP) made very deadly attacks on Nigeria’s military facility in Baga in November and December 2018 and captured a base of the regional MJTF troops in which scores of troops were killed (Aljareeza, 2018). Therefore, while mention could be made of counterterrorism efforts stunting the organisational basing trajectory of the Boko Haram sect between 2015 and 2017 given the territorial liberation, Nigeria appears to be struggling with the control of such retaken territories and Boko Haram continues to maintain bases.

#### Boko Haram External Connections (Political Relationship)

The ineffectiveness of Nigeria’s counterterrorism efforts and, by implication, the growth in the Boko Haram trajectory, has been well pronounced with the inability to meaningfully disrupt the group’s external connections. According to Mir, to disrupt external links that reinforce the growth in terrorists’ trajectory and organisational capability, the military operations against a terror group should ensure killing or arrest of terrorist commanders and disrupt the terror group’s infrastructure. (Mir, 2018). However, lack of political will and politicisation of terrorism appears to have at some point made decimation of terrorist commanders impossible in Nigeria. For example, the Nigerian government has sometimes set free the arrested Boko Haram commanders (Adebayo, 2018). Also, the country failed to maximise the counterterrorism victory occasioned by its collaboration with Specialised Tasks, Training, Equipment and Protection (STTEP) that helped the country in the early 2015 liberation of the conquered territories. It was reported that STTEP’s planned strategy to decisively decimate the terrorist commanders was jettisoned following the termination of their contract by the current Nigerian administration (Awojulugbe, 2018).

By implication, therefore, Boko Haram has grown in its trajectory and organisation capability through its relations with ISIS, al-Qaeda and al-Shabaab, pledging allegiance to ISIS in 2015 leading to the 2016 creation of Islamic State West African Province- ISWAP, a development that facilitated how the sect became the deadliest terror group (Zenn, 2020; Adesoji, 2019) For instance, Boko Haram has gained inspiration and tactics from ISIS, such as the 2014 and 2018 abductions of female students in Chibok and Dapchi, and the declaration of a Caliphate. While Nigeria has often relied on France and the US to disrupt the influence of international terrorists’ connections in the Sahel and Lake Chad Basin, it is becoming unpredictable how these Western powers will play major roles in the face of the current Coronavirus epidemic (Zenn, 2020:8).

#### Trajectory of Boko Haram Attacks against Nigeria

It is equally important to note that any countermeasures against terrorism could be deemed effective only if the terror group’s collective-action drives (armed hostilities) break down (Mir, 2018). Boko Haram not only holds bases but has continued to wreak havoc, while Nigeria’s counterterrorism efforts with huge defence budgets, myriads of military operations, soft-power counterterrorism programmes and foreign assisted programmes have not significantly halted the operational capability of the Boko Haram sect. Boko Haram and other violent non-state actors continue to disrupt Nigeria’s stability and the large scale attacks in November and December 2018 in Baga; the capturing of Naval Base in the Northeast in early 2019 and the March, 2020 attacks on Operation Lafiya Dole troops are examples the group’s growth in trajectory (Haruna, 2020; Aljazeera, 2018). More so, Boko Haram still recruits and maintains a large pool of foot soldiers for its operations, which is why experts have questioned the strategic relevance and effectiveness of the Operation Safe Corridor (Adibe, 2020).

### Conclusion

Nigeria’s counterterrorism policies or strategies cannot be deemed effective given the continued growth in the Boko Haram trajectory and organisational capability in the last ten years. Counterterrorism measures and outcomes remain negative as purported advances have been halting, of a questionable nature, and have been easily reversed. As observed in this study, the only undeniable strategic achievement has been the liberation of some occupied northeast territories in early 2015. Essentially, Boko Haram has continually grown in its operational capability, recently reclaimed bases including military formations, continues to carry out recruitment and attacks, keeps its political relationships with global terror networks, while still in possession of firepower that is increasingly out-manoeuvring the Nigerian military. Therefore, this study recommends a more holistic and strategic counterterrorism efforts based on the effective implementation of the NACTEST and other legal and operational frameworks.

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# Understanding the Role of the Nigerian Police Force Gender Unit in Addressing Violence Against Women in Ekiti State, Nigeria

## Olaoluwa Babatunde A. OYINLOYE, PhD & Feyisayo AGUNBIADE

### Abstract

*Violence against Women is one of the most widespread violations of basic human rights. Most researchers emphasize on the problem of GBV, its causes and what ought to be done in eradicating it. Although some of these suggestions such as; the creation of a Police Gender Desk among others, have been put in place, the question as to their effectiveness and whether or not they are functioning according to their mandate is yet to be answered. Objectives: the study identified the mandate of the Nigerian Police Force Gender Unit; examined the nature and dynamics of VAW cases handled by the Gender Unit of Ekiti State Police Command and examined the effectiveness and challenges of the Gender Unit of Ekiti State Police Command in handling VAW cases. Methods:**The researcher employed a case study research design. The researcher interviewed a total number of 13 key informants. Content analysis and Narrative analysis were used to analyse data. Findings:**It showed that there was no clearly defined mandate specifically for the Gender Unit. It was also discovered that majority of the cases were rape and defilement while domestic violence was the least reported case. This study suggested that the Gender Unit environment was not conducive for VAW cases because the survivor’s privacy was not upheld. Conclusion:**The Gender Unit might not be effective on its own. The approach should be holistic and involve all actors. The response should include referring the individual survivors for specialized services such as psycho-social support, medical attention, and legal representation among others. Members of community and local system should also be sensitized for effective prevention of VAW. With the networking of all these actors, VAW would be effectively addressed. There is also need for improvements in terms of the professionalism of the officers at the Gender Unit.*

**Keywords:** Violence, GBV, VAWG, Ado-Ekiti, Nigerian Police Force

### Introduction

Violence Against Women (VAW) has been a global phenomenon; around the world, girls and women continue to experience gender-based violence over the life cycle in homes, schools, churches, workplaces, the streets and even therapeutic settings (Heise, Ellsberg & Gottemoeller, 1999). A recent transnational review of population-based survey data found the lifetime proportion of women experiencing physical assault by an intimate partner to range from 10% to 69% (Krug, Dahlberg, Mercy, Zwi, & Lozano, 2002).

Fisher (2000) defined violence as actions, words, attitudes, structures or systems that cause physical, psychological, social or environmental damage and/or prevent people from reaching their full human potential. Thus, any of the aforementioned acts of violence perpetrated on an individual on the basis of gender, is considered Gender Based Violence (GBV).

According to Violence against Women Resource Guide, the terms "Gender Based Violence" (GBV) and "Violence Against Women" (VAW) are often used interchangeably, since most Gender Based Violence is perpetrated by men against women. GBV, however, includes violence against men, boys, and sexual minorities or those with gender-nonconforming identities. As such, Violence Against Women (VAW) is classified as a type of GBV. While violence against the other groups mentioned is often rooted in the same gender inequalities and harmful gender norms (Violence against Women Resource Guide, 2019). According to the United Nations Office on Drugs and Crime (UNODC), reports of the violence to which many women are daily subjected first emerged in the 1970s (UNODC, 2010).

The African Union report on women’s right (2016) stated that; in Africa, 1 in 3 women have experienced either physical and/or sexual intimate partner violence or sexual violence by a non-partner at some point in their lifetime, in six African countries there is no legal protection for women against domestic violence. In 2013, African women and girls accounted for 62% (179,000) of all global deaths from preventable causes including acts of violence against women. Globally, an estimated 130 million girls and women alive today have undergone FGM, most of them in Africa and 125 million African women and girls alive today were recorded to have become married before the age of 18 (Office of the United Nations High Commissioner for Human Rights (OHCHR, 2016).

Gender Based Violence (GBV), a growing public health and human right problem both globally and in Nigeria, affects women and girls mostly as about 1 in 3 women are said to have experienced a form of GBV (National Population Commission (NPC, 2014). Ongoing efforts in the country to respond to GBV include passage of the Violence against Persons Prohibition Act, increased social and legislative advocacy, establishment of gender and family units in the police, advocating for male participation and provision of support services by NGOs (Federal Ministry of Women and Social Development (FMWASD), 2015).

Hence, in 2010, the NPF launched a "gender policy" in an effort to reduce gender discrimination within the force and enhance the capacity of officers to handle gender-based violence cases (This Day Live, 2012). The Police Force as an institution is a major stakeholder in promoting gender equality and the empowerment of women, guided by its mandate to maintain peace and uphold fundamental rights to freedom and good governance. It is on this premise that UN Women in Nigeria in collaboration with other development partners, especially United Nations Population Fund (UNFPA) has provided technical support for the development of the “Gender Policy for the Nigeria Police Force” (Ongile, 2010). The Policy is also a response to the National Gender Policy which clearly recognizes that operational procedures and protocols within most law enforcement agencies are biased in favour of men and calls on stakeholders to provide support for addressing such gaps (Ongile, 2010).

Through this policy, the Nigerian Police Force, a major security organ of the Nigerian government, was positioned to achieve social, cultural, and ideological transformation in gender relations within the NPF as well as in the larger Nigerian society, through gender sensitive regulations and orders, and improved technical skills in gender mainstreaming and in the handling of gender-based violence (Hafiz, 2010).

### Dynamics of GBV in Nigeria

In Nigeria, as in many other African countries, reports reveal a “shockingly high” level of violence against women (NPC and United Nations Population Fund, 2014). Shaming and self-flagellation not only create further damage to a victimized person, but they increase the number of unreported rape and assault. Without reporting, women are unable to get the assistance they desperately need, and the abusers go unnoticed and unpunished, free to continue to victimize women (Douglas, 2014). When we analyse statistics drawn from official reports, we are already examining a much narrower margin than actually exists (Douglas, 2014). Therefore, if our systems for gathering this data are flawed, our margin of error increases even more dramatically. Such flawed data prevents our society from grasping the severity of the problem, thereby limiting the amount of monetary and judicial resources delegated to addressing violence against women (Douglas, 2014).

Similarly, representatives of the Legal Defence Assistant Project (LEDAP) revealed that, criminal justice in our country provides almost no protection for women from violence (Ezeilo 2006). He further added that: police and courts often dismiss domestic violence as family matters and fail to investigate (Ezeilo 2006). In a same perspective, Ajoni (2008) supported this position explaining that the poor response of law enforcement agents leads to low reporting. Other challenges in this are rape, and other sexual offence, human trafficking and cultural practices (child marriage, female Genital Mutilation, widowhood practices). The US State Department (2014) country report for Nigeria noted, ‘Police often refused to intervene in domestic disputes or blamed the victim for provoking the abuse. Cultural violence is seen in the rural areas, as the courts and police were reluctant to intervene to protect women who formally accused their husbands of abuse if the level of alleged abuse did not exceed customary norms in the areas (US State Department, 2014; Galtung 1990).

In October 2014, the Nigerian police "reconstituted" the Force Gender Unit (FGU) to help bring justice for victims of gender-based crimes (NPF 2014; CLEEN Foundation 2014). This was done to aid in stemming the tides of violence against women and girls in Nigeria (Gender Hub, 2014). According to CLEEN Foundation, the FGU is expected to ensure the implementation of a robust capacity building plan for officers in gender related issues and ensure the establishment of Gender Desk officers in Police formations nationwide. As Police Gender Desks are focal points where GBV cases are reported, investigated and perpetrators are charged accordingly (Ndugu 2012). It is also saddled with the responsibility to ensure the inclusion of gender training in Nigeria Police curriculum at all levels and enhance the already existing collaboration with other stakeholders in the area of gender equality (CLEEN Foundation, 2014). All these were tailored towards helping to get justice for victims of gender-based crimes and to mitigate the increasing number of the GBV.

### Research Objectives

The objectives of this study are to identify the mandate and role of the Nigerian Police Force Gender Unit, examine the nature and dynamics of VAW cases in Nigeria and to understand the challenges faced by the Force Gender Unit of the Nigerian Police in handling VAW cases.

### Scope of the Study

The study is carried out in Ado-Ekiti, Ekiti State, South-West, Nigeria. Its focus is on the Gender Unit of the Ekiti State Police Command in a bid to fulfil the stated objectives, over the period of 2014 to 2019. This study was exploratory in nature whereby the use of a qualitative research approach was employed. Hence, the researchers employed a case study research design to ensure that the topic of interest was well explored and understood through a variety of lenses and research tools. The gender unit of Ekiti State Police Command was used as a case so as to enable the researcher to solicit in-depth information from various officials and determine other respondents’ response on the subject matter in the study area. The study targeted the following key informants; Police Gender Unit officials, State Ministry of Women Affairs officials, NGOs advocating against VAW, females who advocate against VAW and women who have been victims of VAW.

In this study, the use of purposive random sampling technique was employed to pick the Police Gender Unit of Ekiti State Police Command, officers of the gender unit, NGOs and for the data collection process. This was based on the availability of the Organisations in the area of study. The researcher was able to select 4 NGOs working on VAW in Ekiti State, the FGU of the Ekiti State Police Command, the State Ministry of Women Affairs, Police Cottage Hospital and the Office of the First Lady of Ekiti State. In total, the researcher interviewed 13 key informants to the point of saturation. The researcher collected both primary and secondary data. Primary data were collected using semi-structured (in-depth) interview. Four different interview guides were designed according to the different categories of key informants. The questions in the interview guides were in line with the research objectives and research questions of this study.

Content analysis was used to analyse documented data collected during the study. Narrative analysis was also used to analyse the responses gotten from interviews. The results were afterwards presented thematically.

### Conceptual Clarifications

#### Violence as a Concept

Most attempts to deﬁne violence tend to combine the idea of an act of physical force with a violation (Vittorio, 2005). For example, Ted Honderich (2002) deﬁnes violence as “a use of physical force that injures, damages, violates or destroys people or things”. Manfred Steger (2003), points out that violence comprises a range of meanings, including “to force”, “to injure”, “to dishonour”, and “to violate”. Violence is defined by the World Health Organization (2002) in the World Report on Violence and Health (WRVH) as “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation”. The United States Institute of Peace (2011) describes violence as “psychological or physical force exerted for the purpose of injuring, damaging, or abusing people or property (Akinyoade, 2016).

However, Fisher’s definition is one that captures violence in all of its forms. He defined violence as “actions, words, attitudes, structures or systems that cause physical, psychological, social or environmental damage and/or prevent people from reaching their full human potentials (Fisher, 2002).

Violence has various forms, these are:

1. **Physical Violence**

It is also known as *direct* or *behavioural violence*. It is the use of physical force against another’s body, against that person’s will, and that is expected to inflict physical injury or death upon that person (Bond, 1994). It involves direct harm to someone’s body or mind. That is, violation of an individual as in torture, mutilation, rape or beating to exert coercive influence and ultimately a threat to life itself (killing) (Akinyoade, 2016).

1. **Structural Violence**

According to Johan Galtung, it refers to unjust, unequal and unrepresentative social structures and processes and situations. It involves creating social, economic, and political asymmetries and injustices that keep individuals and groups from reaching their full potentials as humans (Galtung 1990). Structural violence manifests as marginalization, oppression, disempowerment, suppression and discrimination among others. It is created by the instrumentalities of laws, rules, policies, and actions of government, organizations, communities, families, groups and individuals that favour certain individuals or groups at the expense of others, or give them undue advantage over others (Akinyoade, 2016).

Direct violence is horrific, but its brutality usually gets our attention: we notice it, and often respond to it. Structural violence, however, is almost always invisible, embedded in existing social structures, normalized by stable institutions and regular experience. Structural violence occurs whenever people are disadvantaged by political, legal, economic, or cultural traditions (Christie, 2001). Unequal accesses to resources, political power, education, health care, or legal standing, are also forms of structural violence (Christie, 2001). Galtung explained:

Thus, when one person beats his wife there is a clear case of personal violence, but when one million husbands keep one million wives in ignorance there is structural violence. Correspondingly, in a society where life expectancy is twice as high in the upper class as in the lower classes, violence is exercised even if there are not concrete actors one can point to directly attacking others, as when one person kills another (Galtung, 1969).

1. **Cultural Violence**

Culture represents the symbolic sphere of our existence exemplified by religion and ideology, language and art, empirical science and formal science (logic and mathematics) (Akinyoade, 2016). By 'cultural violence' we mean those aspects of culture, the symbolic sphere of our existence, exemplified by religion and ideology, language and art, empirical science and formal science, that can be used to justify or legitimize direct or structural violence (Galtung, 1969). Cultural violence makes direct and structural violence look/feel right, or at least not wrong. One-way cultural violence works is by changing the moral colour of an act from red/wrong to green/right or at least to yellow/acceptable (Galtung, 1990).

1. **Attitudinal Violence**

It refers to the less visible mental processes (feelings, attitudes and values that people hold) which may not actually be violent, but can easily become sources of violence, or allow violent behaviour and institutions to operate. Feelings of hate, fear and mistrust can allow us to classify people as inferior or superior in terms of gender, race, religion, ethnicity, political ideology, etc. This may precipitate intolerance, leading to perception of others as less human, hence, participating or justifying from the side lines, inhuman actions against them (Akinyoade, 2016).

However, Oyinloye (2018) highlighted a list of other commonly acceptable forms of violence in Africa; the use of violence to raise and correct children often through corporal punishments; the use of violence to regulate interpersonal relations; as an indispensable tool in intimate relationships also known as intimate partner violence (IPV); as a means of disciplining students in educational institutions and also as a means of establishing social status.

Deducing from Fisher (2011) gender-based violence of can be categorially defined as all forms of violence consisting of actions, words, attitudes, structures or systems that cause physical, psychological, social or environmental damage and/or prevent people of a specific gender from reaching their full human potential. Thus, any of the aforementioned acts of violence perpetrated on an individual on the basis of gender, is considered Gender Based Violence (GBV).

### Role of the Police Gender Unit or Desk

According to the UN women website, the Police gender desks are focal points where the GBV cases are reported, investigated and the perpetrators charged accordingly. According to United Nations Population Fund (UNFPA, 2008), an ideal gender desk was supposed to have a minimum of the following infrastructures and equipment: A separate room for survivors to report the crime and where interviews could be conducted and evidence collected and recorded in an atmosphere of privacy. It was supposed to have transportation means to respond to reported incidents of violence, including removal of the perpetrator from the home (where applicable); to escort the survivors to other key services, such as a medical centre or shelter; and to return to the crime scene to collect further evidence; a free telephone line for survivors of violence and others to report incidents of violence and follow up on cases; a camera and basic forensic equipment to collect evidence needed for prosecution and a secure record storage space. The investigating officer was supposed to be in civilian clothing to increase a survivor’s comfort in approaching security personnel.

Gender desks are expected to improve the police response to GBV survivors and to refer them to other organizations for professional services. They are expected to increase public awareness of GBV as a crime and the role of the police in assisting survivors. According to the Policy Brief-Forum against Gender Based Violence (2012), in 2012 Sri Lanka had 43 Police Women and Children’s Desks (WCDs). These acted as the coordinating offices that collected data on incidents of violence against women and children.

According to United Nations Office on Drugs and Crime (UNODC, 2010), after a GBV case was reported, the victim was expected to be separated from the perpetrator. This was because there was often unequal power and control between parties. It was the gender desk officer’s (GDO) responsibility to ensure that the parties were out of sight and not hearing of each other, while keeping safety a priority. The officer was expected to identify and secure any weapons on hand to protect all persons who were present. The officer was also expected to isolate, search and secure the perpetrator (if present) and to remove him/her from the scene. The GDO was expected to make arrangements of medical examination after ensuring the safety of all the parties. The survivors were supposed to be informed of police procedures and confidentiality, and ascertain the initial facts of what had happened to identify the offence.

All Africa reported on 13 October 2014 that the Nigerian police force had reconstituted the Gender Unit of the force: ‘The action was to consolidate on the gains made by the police in stemming violence against women and girls. The statement said the unit, among other things, would ensure the implementation of a robust capacity building plan for officers in gender related issues. It also said that the measure would ensure the inclusion of gender training in Nigeria Police curriculum at all levels and see to the establishment of gender desk officers in police formations nationwide.’

### Theoretical Considerations

#### Structural Functional Theory

Functionalism, also called structural**-**functional theory, sees society as a structure with interrelated parts designed to meet the biological and social needs of individuals in that society. Functionalism grew out of the writings of English philosopher and biologist, Hebert Spencer (1820-1903), who saw similarities between society and the human body; he argued that just as the various organs of the body work together to keep the body functioning, the various parts of society work together to keep society functioning (Spencer 1898). The parts of society that Spencer referred to were the social institutions, or patterns of beliefs and behaviours focused on meeting social needs, such as, government, education, family, healthcare, religion, and the economy.

Émile Durkheim, another early sociologist, applied Spencer’s theory to explain how societies change and survive over time. Durkheim believed that society is a complex system of interrelated and interdependent parts that work together to maintain stability (Durkheim 1893), and that society is held together by shared values, languages, and symbols. Durkheim believed that individuals may make up society, but in order to study society, sociologists have to look beyond individuals to social facts. Social facts are the laws, morals, values, religious beliefs, customs, fashions, rituals, and all of the cultural rules that govern social life (Durkheim 1895). Each of these social facts serves one or more functions within a society. For example, one function of a society’s laws may be to protect society from violence, while another is to punish criminal behaviour, while another is to preserve public health. In a healthy society, all parts work together to maintain stability, a state called dynamic equilibrium by later sociologists such as Parsons (1961).

According to Isajiw (2000) it can be said that functional analysis studies structural items of the social system in an attempt to show how they contribute towards integration or inversely disintegration of the system by either fulfilling or failing to fulfil some needs or sets of needs of the system and in an attempt to show how these contributions bear on the existence of the item in the system. In other words, the structural functionalists see society as an interrelated system in which each group plays a part and each practice helps the system to operate (Schaefer & Lamn, 1995). In this case the Nigerian Police Gender Unit and the women who are victims of violence representing the larger society are an interrelated system as espoused by the tenets of the functionalism theory.

#### Liberal Feminism Theory

The feminisms of the 1960s and 1970s were the beginning of the second wave of feminism. They are *Liberal feminism*, *Marxist* and *Socialist feminisms*, and *Development feminism*. Their roots were, respectively, 18th and 19th century liberal political philosophy that developed the idea of individual rights, Marx's19th century critique of capitalism and his concept of class consciousness, and 20th century anti-colonial politics and ideas of national development. Gender reform feminisms put women into these perspectives (Lorber, 1997).

Feminist theories attempt to describe women’s oppression, explain its causes and consequences, and prescribe strategies for women’s liberation (Tong, 2009).These theories, by paying close attention to structures of power and social context and by examining the real experiences of women living within these structures, suggest a method of theorizing that moves beyond the forms of individualism and abstraction that are prominent within liberalism (Schwartzman, 2006). On the basis of the root causes of women’s oppression and subordination, different feminist groups have emerged indifferent times. Although their assumptions and interests vary, the main goal is to shun women’s oppression so as to achieve gender equality.

Of the varieties of feminism, liberal feminism is the most dominant and the groundwork for other feminist groups (Enyew, 2018). Giddens (2001) defines liberal theory as a “feminist theory that believes gender inequality is created by lowering access for women and girls to civil rights and allocation of social resources such as education and employment”. This situation is mainly centred on the socially constructed ideology of patriarchy that perpetuates inequality between the two sexes. Liberal feminism is derived from the liberal political philosophy in the enlightenment period, and centres on the core ideas of autonomy, universal rights, equal citizenship, and democracy (Tong, 2009). It is characterized by an individualistic emphasis on equality (Khattak, 2011). It is depicted as focusing on individual rights and on the concepts of equality, justice and equal opportunities, where legal and social policy changes are seen as tools for engineering women’s equality with men (Maynard, 1995).

In its central assumption, liberal feminism maintains that differences between women and men are not based on biology, which basically represents reproduction differences. Hence, women should have the same rights as men, including the same educational as well as employment opportunities. Unfortunately, liberal feminism cannot overcome the prevailing belief that women and men are intrinsically different; but to a degree, it succeeds in showing that, although women are different from men, they are not inferior (Nienaber& Moraka, 2016). According to liberal feminists, female subordination is rooted in a set of customary and legal constraints that block women’s entrance to success in the public sphere. Lack of opportunities in life chances and outcomes of women inspired liberal feminists to overcome the problem through education and law (Tong, 2009).

### Findings

The first objective of the study sought to find out the mandate of the Gender Unit in order to determine if they have been functioning according to the said mandate. Although it was discovered that there is no clearly defined mandate specifically for the Gender Unit, they are required to carry out their duties according to the general code of conduct provided in the Section 4 of the Police Acts and Regulations and also work in accordance with the provisions of Section 31 of the Ekiti State Gender-Based Violence (Prohibition) Law, 2019. Liberal Feminists focus on individual rights and on the concepts of equality, justice and equal opportunities, where legal and social policy changes are seen as tools for engineering women’s equality with men (Maynard, 1995).

Feminist interventions in the law have made signiﬁcant contributions to law reform in a range of areas where the law has historically denied or diminished the reality of women’s lived experiences. For instance, feminist agitations have been instrumental in reforming the law around VAW by re-conﬁguring understandings of who might plausibly be a victim of VAW. It can be seen that efforts in Ekiti State to address VAW have shifted from mere services rendered by NGOs such as counselling or psycho-social support to an increasing focus on the criminal justice system. Feminists who pursue legal reform have seen the judiciary as an arena that has the potential to provide “symbolic and actual justice for women” and “to increase public awareness of the issue of VAW.

The second objective sought to explore the nature and dynamics of cases handled by the Gender Unit. Although the FGU was reconstituted in 2014, records of cases reported at the Ekiti State-Criminal Investigation Department only dates back to 2016. This is as a result of the poor documentation done by the previous Officer in charge of the unit. However, the chart below (Fig 1.0) shows the most common forms of VAW reported as well as the number of times they were reported. The following colours were used to represent them; blue for rape; orange for defilement; grey for domestic violence.

**Fig 1.0** VAW cases reported at the Gender Unit from 2016 to date

From January – December 2016, a total number of 51 cases were reported at the Gender Unit; 21 were rape cases; 17 were defilement cases; 13 were domestic violence cases. From January – December 2017, a total number of 36 cases were reported at the Gender Unit; 14 were rape cases; 13 were cases of defilement and 9 domestic violence cases were reported. From January – December 2018, a total number of 29 cases were reported; 15 were rape cases; 8 were defilement cases and 6 domestic violence cases were reported. From January – December 2019, a total of 30 cases were reported; 19 of these cases were related to rape; 7 were defilement cases and 4 were domestic violence cases. From January 2020 to date, a total number of 10 cases have been reported; 3 rape cases have been reported; 4 cases of defilement have been reported and 3 domestic violence case.

Although studies have shown the prevalence of FGM practice in Ado-Ekiti, the Gender Unit has not handled any of such cases and therefore, has no record whatsoever on it.

However, the data, when compared to that of the hospital where survivors are referred to from the Gender Unit, had a significantly high level of inconsistency. The study established that the Gender Unit at the State-CID solely handles all VAW cases and as such, sub-divisions that receive cases related to VAW are required to transfer them to the State-CID. However, an exception is made for domestic violence cases which can be handled by divisions. When a case is reported at the Gender Unit, an investigation is initiated immediately after taking down signed statements; a duplicate of the case file will be filled to the Department of Public Prosecution, wherewith the case will be charged to court.

The third objective wanted to determine the effectiveness and challenges encountered by the Gender Unit. The researcher sought information on the environment of the Gender Unit. According to the UN Women, the gender desk should serve as a focal point where GBV and SGBV cases are reported. It should respond to any distress call and therefore it should have a hotline, it should have adequate rooms for receiving the victims, promoting procedures and protocols on investigations, interviews and enforcing protective orders. In establishing if the Gender Unit environment met the needs of the VAW survivors, the researcher ascertained the amount of time the survivors waited before they were served at the gender unit, if the gender unit officers were trained on legal tools used to address GBV and on emerging gender issues, if the gender unit had adequate rooms to ensure privacy when reporting the case and if the Gender Unit had a safe-room where the survivors could stay as a place of safety.

This study suggests that the Gender Unit environment is not conducive for VAW cases. The survivor’s privacy is not upheld since the reporting is done at the general front desk before being referred to the gender unit office or interview room. The Gender Unit has only one room that is regularly available and has poor infrastructure. Most of the survivors have to wait for a long waiting time before being attended to due to the fact that the Gender Unit is understaffed.

Structural Functionalists see society as an interrelated system in which each group or social institution plays a part in helping the system to operate. The Nigerian Police Force as a structure in the criminal justice system is saddled with the responsibility of ensuring security and enforcing the Law. The NPF within itself has a structure that is broken down into various departments to carry out these said responsibilities. The Gender Unit is also seen as a structure under the Criminal Investigation Department. The researcher sought to find out how the gender unit contributes towards the integration or inversely disintegration of the criminal justice system by either fulfilling or failing to fulfil the needs of the system. The study found that there have been challenges that hindered the effectiveness of the gender unit thereby making it dysfunctional. The following challenges were highlighted by the key informants and also observed by the researcher: lack of funds to cater for logistics and stationeries, amongst others; inadequate staff in the Gender Unit; inadequate privacy for survivors; poor documentation; lack of a special hotline for the Gender Unit in order to foster rapid response to reports. A long waiting time before survivors are attended to was also highlighted as one of the challenges.

### Conclusion

The findings of the study show that though the Gender Unit has been making efforts in responding swiftly to VAW cases, it however falls short of some expectations. The Gender Unit environment is not conducive for the survivors as it has no privacy and does not have the basic infrastructure. The gender unit has numerous challenges as captioned above. Notwithstanding, the study shows that there has been an increase in the number of VAW cases reported as a result of the increased confidence the general public has in the Force Gender Unit. The support gotten from NGOs and other agencies is one that has also helped in improving the efforts of the Gender Unit.

The theory of structural functionalism establishes the existence of a social structure within a system and different aspect of social structure and social organization tend to be functionally related to one another, so that what happens in one part of society affects and is shaped by what happens in others. From the above findings, the Gender Unit might not be effective on its own. The approach should be holistic and involve all actors. The response should include referring the individual survivors for specialized services such as psycho-social support, medical attention, and legal representation among others. Members of community and local system should also be sensitized for effective prevention of VAW. At the society level, the police should enforce the legal instruments and charge the perpetrators. With the networking of all these actors, VAW would be effectively addressed.

State services, particularly the criminal justice system, reproduce the structural inequalities and violence that enable violence against women. While the importance of these services for the immediate wellbeing and safety of many women must not be ignored, neither must their gaps, exclusions, and inadequacies. Where state services do not address the structures of violence that support individual expressions of violence, they become complicit in these structures through that omission.

### Recommendations

The study came up with the following recommendations to make the Gender Unit more effective:

1. An additional staff in the Gender Unit that will be available at all times to attend to walk-in survivors. The staff will not be assigned duties that require him/her to leave the premises. The staff should also have access to the interview room at all times so victims can be taken there if there is a need for privacy.
2. There should be a separate vehicle assigned to the Gender Unit to ease mobility and foster effectiveness.
3. Officers should be trained on proper documentation and filing of cases.
4. The Gender Unit should have the basic office requirements such as computers, stationery and decent office furniture.
5. The Gender Unit officers should be trained on the needed skills in addressing VAW and on the legal tools used in fighting VAW such as the GBV Prohibition Law (2019).
6. Also, the need to sensitize other officers at the State-CID is necessary because they might be the first point of contacts to the survivors and they need to know the sensitivity of VAW cases as well as the need to handle them discretely. The need to be empathetic can also not be overemphasized and this is something that is required of the officers.
7. To ensure a prompt action, a 24-hour toll-free line should be developed to report the VAW cases.
8. There is need for a harmonized synergy between the Gender Unit and all other relevant stakeholders/agencies. This way, the unit can refer the individual survivors for specialized services such as psycho-social support, medical attention, and legal representation among others.
9. There is also the need for further research across all states in Nigeria on the assessment of the response of NPF gender unit to VAW cases.

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# Election Administration in Nigeria: A Critique of the 2019 General Elections

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### Abstract

*Prior to the 2019 general elections in Nigeria, the Independent National Electoral Commission (INEC) had conducted five quadrennial general elections from 1999-2015. The 2019 elections were characterised by various anomalies which include but not limited to widespread rigging through multiple registrations, alteration of results at collation centres, etc. Hence, this study examines election administration in Nigeria with particular emphasis on 2019 general elections. Data for the study were basically selected from both primary and secondary sources. The study identified that poor operational logistics, weak institutional framework on the side of INEC among others, still remain a major challenge in the administration of the 2019 general elections. The paper recommends among others that adequate digitalisation of the electoral process is a necessity to prevent the possibility of street thugs destroying ballot boxes and votes, and forestalling postponement of subsequent elections in the future.*

**Keywords:** Democracy, INEC, Electoral Systems, Election Administration, Liberal Theory

### Introduction

A central concern of all stakeholders is on how to improve the integrity of the electoral process in Nigeria. Several by-elections and state governorship elections were run under the Independent National Electoral Commission (INEC) that provided it with the practical tests and rehearsals it needed ahead of the national elections. Those elections did throw up some controversies about the electoral process and INEC’s work in the build-up to the elections.

The first election in Nigeria took place in 1922 and since that period, elections have occurred continuously until 1960 when Nigeria gained her independence from Britain. After political independence, elections took place in 1964 but the democratic administration was short-lived because of the 15 January, 1966 *coup d’état*. In 1979, Nigeria dropped the British styled Parliamentary System of Government which it adopted in the First Republic (1963-1966) and switched to the American styled Presidential System of Government. On 29th May,1999, the Fourth Republic (1999-date) emerged and remains the longest democratic dispensation in the history of the country (Sule, *et*. *al*., 2018). On the 29th of May, 2020, Nigeria is celebrating her twenty years of uninterrupted democratic government.

Since the Fourth Republic started on 29th May, 1999 till the 2019 General Elections, there have been seven constitutionally recognised offices into which elections have been conducted. Elections have been conducted to fill the offices of President, Senators, Members of Federal House of Representatives. There have also been gubernatorial elections, State Houses of Assembly elections, and elections to fill the offices of the Chairman and Councillors at the local government level.

One of the most controversial elections in Nigeria remains the presidential election. This makes the battle for the presidential election violent, life threatening, chaotic and sometimes leading to political tension. The culture of ethnic, religious and regional voting inherited from the nationalists during the colonial period has spilled-over to the present era and it seems to be the routine affair (Sule, *et*. *al*., 2017).

Election administration occupies a significant position in electoral process and consolidation of democracy in any given polity (Gyekye-Jandoh, 2013). To achieve effective electoral administration, the existence of an impartial election management body such as the INEC in the case of Nigeria is very important. Electoral Management Bodies (EMBs) are important institutions for democracy and democratic consolidation because they are concerned directly with the organisation of multi-party elections and indirectly with governance based on laid down procedure(s). This work is an investigation of the process of the conduct of the 2019 Presidential Election, the pattern of voting behaviour, an analysis of the outcome, the issues emanating from the contest and the anticipated implications of the pattern of voting on the electorate and possible policy options to address the inherent flaws.

Data for the study were generated through a careful review of relevant literature. The relevant literature was drawn from text books, journals, newspapers, internet sources and documentaries from Independent National Electoral Commission (INEC). The study also benefitted from participant observation based on the fact that the researchers were ad-hoc officials of INEC and were actively involved in the 2019 presidential election where they served as collation officers. The data were analysed using the discourse analytic method. The method was utilised to interrogate election administration with particular emphasis on the 2019 general election and to determine the way forward in Nigeria.

### Elections and the Pattern of Election Administration in Nigeria

Elections occur in every four years for some federal and most state and local government offices in Nigeria. Thus, in every four years, Nigerians elect a president and vice president, governors, members of the National Assembly and members of the various State Houses of Assembly. Since the emergence of the Fourth Republic every four years, 469 Members of the National Assembly across the six geopolitical zones are elected in Nigeria. As at the time of conducting this study, Nigeria is running its 9th National Assembly and is 20 years into an uninterrupted civil rule.

According to Makinde (1996), democracy is a government deeply rooted in the belief that eligible voters in any given society should be free to determine their own political, economic, social, and cultural systems. Nonetheless, the founding pillars of any democratic political system, whether considered fragile or established, strongly believes that election is the most critical and visible means through which all citizens can peacefully choose or remove leaders if they abuse their offices or fail to perform. In other words, elections are the principal instruments that “compel or encourage the policy-makers to pay attention to citizens” (Powell 2000:4). Indeed, the ruling party following any given election is conceived as holding temporarily the mandate of the entire citizenry; only as far as it continues to win elections. Thus, elections require the existence of a multiparty system as in the case of 2019 general elections where 73 political parties were duly registered for the presidential election that held on 23rd February, 2019. The advantages of the multiplicity of political parties is that citizens have an unfettered choice in making political decisions including voting for competing candidates fielded by the various political parties and holding divergent views as influenced by the various political party manifestoes.

In Nigeria, there exists two major types of elections: primary and general elections. Primary elections, which are chiefly internal party activities, are held prior to a general election to determine party candidates for the general election. The winning candidates in the primary go on to represent the party in the general election following the laid-out guidelines as given by the electoral umpire- Independent National Electoral Commission (INEC). Since the commencement of the Fourth Republic, party primaries have been the chief electoral device for choosing party candidates. With rare exceptions, victory in a primary election results in a candidate being nominated by that political party for the general election. In a few states, party candidates are chosen in state or local nominating conventions, rather than primaries, either by tradition or at the option of the political parties. Once the primary elections or conventions are concluded, the party projects its candidate for the general election.

However, the question of internal democracy in Nigeria especially in the two major parties in Nigeria- All Progressives Congress (APC) and the People’s Democratic Party (PDP) on the selection of party flag bearers often leads to intra-part conflicts whenever it is devoid of transparency. What are the laid down strategies for selecting a candidate in a party? Is the selection based on their credentials and loyalties to the party or based on the popularity of their godfathers and godmothers? Scarrow (2005) noted that the recruitment and selection of eligible candidates are crucial task for parties, because parties’ profiles during elections and while in office are largely determined by which candidates are chosen and where their loyalties lie. Whichever procedure is adopted, it is the responsibility of the party to decide who is eligible to contest or participate in the election. The assumption is that the selection of a party flag bearer should be based on integrity and credibility of members. In other words, selection of candidates should be devoid of sentiments, prejudice, class and ethnic chauvinisms. This is a serious problem in both the APC and the PDP in some selected states of the federation in the 2019 general elections.

### Election Administration

The specific procedures and practices of election administration are constantly evolving in Nigeria following a standard process. This standard process states that to be eligible to cast vote, one must be eighteen (18) years old, be a Nigerian citizen, be a registered voter, and present a Permanent Voter ‘s Card (PVC) at the polling station. Elections can be viewed as a cycle where eligible citizens are registered to vote, polling places are selected, poll workers are hired to supplement the INEC permanent staff, and voting procedures are decided by the electoral commission. According to Pastor (1999) the electoral commission is the only institution which can build the confidence of the electorate and political parties alike which is essential to generate a free, fair and credible electoral process. In Nigeria’s nascent and fragile democracy, the responsibility for elections is usually administered by the Independent National Electoral Commission (INEC), which is not properly insulated from the political pressures and controls of political forces; especially the ruling party which oftentimes demonstrate a special interest in the outcome of elections.

However, in Nigeria where the voting and registration patterns are centralised, the agency responsible for voter registration and voting is the INEC. The INEC comprises of 13 officials who are appointed by the President. In Nigeria, there are 119,973 polling units across the country, with each polling unit having no more than 70 registered voters However, in Nigeria there are 57,073 voting points where there are excess voters (INEC, 2019). These are spread between urban and rural areas with varying degrees of difficulty in access. Transportation of sensitive and non-sensitive materials can be difficult. For example, in remote areas that do not have quality infrastructure, airlifting materials for the day of election is a herculean task.

In the 2019 general elections alone, there were 73 presidential candidates in the election cycle. This remains the highest ever for any presidential election in Nigeria’s political history. There were thousands of security forces deployed on Election Day; 4,030 non-security personnel; and 8000 special protection personnel. The INEC budget for the 2019 general election approved by the National Assembly was N198.2 billion (US$525.5 million) amounting to US$6.55 per voter(INEC, 2019). However, the 2019 General Elections was governed by the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the Electoral Act 2010 (as amended), as well as by regulations and guidelines issued by the Commission.

To Jinadu (1997) election administration is the organisation and conduct of elections to elective public (political) office by an electoral body. For him, subsumed in election administration are structures and processes. By structure is meant the bureaucracy that is set up to or established to organise and conduct elections such as the Independent National Electoral Commission (INEC). The process entails the rules, procedures and activities relating, among others, the establishment of electoral bodies, the appointment of members, the registration of voters, the nomination of candidates for elections, balloting, counting of the ballots, declaration of results, the selection and training of electoral officials; especially ad-hoc staff, constituency delimitation, voter education and, in some cases, registration of political parties and supervision of party nomination congresses.

In the preparations leading to the 2019 general elections, the Independent National Electoral Commission (INEC) signed a Memorandum of Understanding (MoU) with road transport unions to use commercial vehicles for movement of election personnel and materials on election days. For example, the National Union of Road Transport Workers (NURTW), Road Transport Employees Association of Nigeria (RTEAN), and the National Association of Road Transport Owners (NARTO) signed the MoU with INEC. According to the electoral commission, it needed over a hundred thousand vehicles for the elections, which the commission cannot provide alone; hence, the resort to commercial vehicles (Ugbede, 2019).

The chairman of INEC, Professor Mahmood Yakubu, in his speech explaining the reasons for the MoU with road transport unions, said the Commission had the same arrangement with NURTW in 2015 but saw the need to expand the scope of the partnership to ensure a more efficient delivery and retrieval of election personnel and materials. The INEC chairman, described the new agreement as another giant step towards making the 2019 general elections better than the previous ones by making sure polling units open on time.

### 2019 General Elections in Nigeria: An Overview

The 2019 general elections in Nigeria were the most planned for. Arrangements kick-started with the INEC Strategic Plan 2017–2021. Afterward there were Election Management System, Election Project Plan and Elections Operations Support Centres. Beyond, the 2019 general election was the costliest in the history of elections in Nigeria. The Federal Government sponsored the elections with a massive N242 billion, N189 billion of that amount went to the INEC whilst the balance of N53bn was shared among the various security agencies to ensure security during the elections. This colossal amount from the federal government of Nigeria was, in fact, separate from the millions of dollars exhausted on the commission by the different international donor partners (*Punch*,2019).

According to the *Punch* (2019) there were 84 million registered electorates out of which 72 million electorates collected their Permanent Voter Cards (PVCs); 91 registered political parties; 119,973 Polling Units; 120 accredited domestic observers and 36 accredited foreign observers; and 23,000 candidates competing for 1,558 elective positions. Seven elections were also conducted over two Saturdays. These were presidential, senatorial and House of Representatives elections on February 23, 2019 and gubernatorial, State Houses of Assembly, chairmanship and councillorship elections of the six Area Councils of the Federal Capital Territory held on March 9, 2019.

There was a peculiar dimension to the 2019 presidential election: the two major presidential contenders— President Muhammadu Buhari of the APC and Alhaji Atiku Abubakar of the PDP were both from the North, the same Hausa/Fulani ethnic group, both Muslims by religion; with their respective vice-presidential candidates (Professor Yemi Osinbajo of the APC and Dr. Peter Obi of the PDP) sharing similar attributes. Both vice presidential candidates were from the South, of the same Christian religion, though of different ethnic nationalities.

However, the voting pattern indicated a surprising result where the Hausa/Fulani Muslims voted massively for President Muhammadu Buhari while the Northern Christians and the South/South and Southeast voted for Alhaji Atiku Abubakar with the votes split between the two in the Southwest as presented in Table 1 below.

**Table 1:** Summary of the 2019 Presidential Elections Results in Nigeria

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **S/N** | **Political Parties** | **Presidential Candidate** | **Vice President** | **Total Votes Received** |
| 1. | Accord (A) | Isaac Ositelu | Lawal Muhammad | 19,219 |
| 2. | Action Alliance (AA) | Abdulrashid Baba | Uchendu Ozoka | 14,380 |
| 3. | African Action Congress (AAC) | Omoyele Sowore | Rabiu Rufai | 33,953 |
| 4. | Advanced Alliance Party (AAP) | Chike Ukaegbu | Safiya Ogoh | 8,902 |
| 5. | All Blended Party (ABP) | Shipi Godia | Okwuanyasi Shaliat | 4,523 |
| 6. | Advanced Congress of Democrats (ACD) | Nwokeafor Ikechukwu | Ali Abdullahi | 11,325 |
| 7. | Allied Congress Party of Nigeria (ACPN) | Obiageli Ezekwesili | Ganiyu Galadima | 7,223 |
| 8 | African Democratic Congress (ADC) | Obadiah Mailafia | Nasiru Tanimowo | 97,874 |
| 9 | Action Democratic Party (ADP) | Yusuf Yabaji | Olateru Martins | 54,930 |
| 10. | All Grassroots Alliance (AGA) | Nwachukwu Nwabiku | Tijjani Ali | 4,689 |
| 11 | All Grand Alliance Party (AGAP) | Umenwa Godwin | Ibrahim Olaika | 3,071 |
| 12 | Advanced Nigeria Democratic Party (ANDP) | Yusufu Obaje | Sule Ganiyu | 3,104 |
| 13 |  Alliance New Nigeria (ANN) | Fela Durotoye | Khadijah Abdullahi-Iya | 16,779 |
| 14 | Alliance National Party (ANP) | Shittu Moshood | Okere Evelyn | 3,586 |
| 15 | Abundant Nigeria Renewal Party (ANRP) | Tope Fasua | Yakubu Zakari | 4,340 |
| 16 | African Peoples Alliance (APA) | Aliyu Ibrahim | Adeleke Aderemi | 36,866 |
| 17 | All Progressives Congress (APC) | Muhammadu Buhari | Yemi Osibajo | 15,191,847 |
| 18 | Advanced Peoples Democratic Alliance (APDA) | Shittu Mohammed | Olayemi Mahmood | 26,558 |
| 19 | All Progressive Grand Alliance (APGA) | John Gbor | Gerald Chukwueke | 66,851 |
| 20 | Allied Peoples Movement (APM) | Mamman Yusuf | Duru Nwabueze | 26,039 |
| 21 | All People’s Party (APP) | Obinna Ikeagwuonu | Omotosho Emmanuel | 3,585 |
| 22 | Alliance of Social Democrats (ASD) | John Dara | Abubakar Salihu | 2,146 |
| 23 | Alliance for a United Nigeria (AUN) | Angela Johnson | Zayyanu Abubakar | 1,092 |
| 24 | Better Nigeria Progressive Party (BNPP) | David Eze-Iyamu | Kofar Umar | 1,649 |
| 25 | Coalition for Change (CC) | Geff Orjinika Chizee | Yakubu Usman | 2,391 |
| 26 | Changed Advocacy Party (CAP) | Lewis Abah | Michael Okojie | 1,111 |
| 27 | Change Nigeria Party (CNP) | Emmanuel Etim | Adeola Zainab | 1,874 |
| 28 | Democratic Alternative (DA) | Frank Ukonga | Musa Saidu | 2,769 |
| 29 | Democratic People Congress (DPC) | Awosola Ulusola | Seiyafa Fetepigi | 5,242 |
| 30 | Democratic People Party (DPP) | Felix Osakwe | Mohammed Ali | 14,483 |
| 31. | Freedom and Justice Party (FJP) | John Onwubiya | Ahmad Muhammad | 4,174 |
| 32. | Fresh Democratic Party (FRESH) | Chris Okotie | Bintu Adefila | 4,554 |
| 33. | Grassroots Development Party of Nigeria (GDPN) | Davidson Akhimien | Ibrahim Hamman | 41,852 |
| 34. | Green Party of Nigeria (GPN) | Samuel Eke | Hadiza Musa | 4,924 |
| 35. | Hope Democratic Party (HDP) | Albert Owuru | Yahaya Shaba | 1,663 |
| 36 | Independent Democrats (ID) | Nnamdi Madu | Adamu Abubakar | 1,845 |
| 37 | Justice Must Prevail Party (JMPP) | Sunday Chukwu-Eguzolugu | Salihu Imam | 1,853 |
| 38. | KOWA Party (KP) | Adesina Fagbenro-Byron | Ummar Abbas | 1,911 |
| 40. | Liberation Movement (LM) | Kris David | Azael Vashi | 1,438 |
| 41. | Labour Party (LP) | Usman Mohammed | Tom Akpan | 5,074 |
| 42. | Mass Action Joint Alliance (MAJA) | Olufunmilayo Adesanya-Davies | Anthony Ibeneme | 2,651 |
| 43. | Masses Movement of Nigeria (MMN) | Isah Bashayi | Oluwatoyin Adepoju | 14,540 |
| 44. | Mega Party of Nigeria (MPN) | Hamisu Santuraki | Chinwe Ufondu | 2,752 |
| 45. | National Action Council (NAC) | Rabiu Hassan | Chineme Uhuegbu | 2,279 |
| 46. | Nigeria Community Movement Party (NCMP) | Babatunde Ademola | Aisha Tataji | 1,378 |
| 47. | National Conscience Party (NCP) | Yunusa Salisu | Funmi James | 3,799 |
| 48 | Nigeria Democratic Congress Party (NDCP) | Johnson Edosomwan | Nasiru Mohammed | 1,192 |
| 49. | National Democratic Liberty Party (NDLP) | Robinson Akpan | Umaru Ahmadu | 1,588 |
| 50 | Nigeria Elements of Progressive Party (NEPP) | Paul Ishaka | Akinfelami Vincent | 1,524 |
| 51 | Nigeria for Democracy (NFD) | Asukwo Archibong | Ite Donald-Ekpo | 4,096 |
| 52. | National Interest Party (NIP) | Eunice Atuejide | Muhammad Bello | 2,248 |
| 53. | New Nigeria Peoples Party (NNPP) | Ike Keke | Johnson Omede | 6,111 |
| 54. | Nigeria People’s Congress (NPC) | Maimuna Maina | Yetunde Oluwale | 10,081 |
| 55. | National Rescue Movement P (NRM) | Usman Ibrahim | Onwa Nwafor-Orizu | 6,229 |
| 56. | National Unity Party (NUP) | Moses Ajibiowu | Michael Idoko | 5,323 |
| 57. | Peoples Coalition Party (PCP) | Felix Nicholas | Baba Ado | 110,196 |
| 58. | Peoples Democratic Party (PDP) | Atiku Abubakar | Peter Obi | 11,262,978 |
| 59. | Progressive People Alliance (PPA) | Peter Ameh | Kehinde Edun | 21,822 |
| 60. | Providence People’s Congress (PPC) | Victor Okhai | Iyan Tama Hamisu | 8,979 |
| 61. | Peoples Party of Nigeria (PPN) | Hamza Al Mustapha | Robert Opara | 4,622 |
| 62. | People’s Trust (PT) | Gbenga Olawope-Hashim | Nwankwo Agwuncha | 2,613 |
| 63. | Reform and Advancement Party (RAP) | Israel Nonyerem Davidson | Dawud Hassan | 2,972 |
| 64. | Re-Build Nigeria Party (RBNP) | Chukwudi Osuala | Muhammad Falali | 1,792 |
| 65. | Social Democratic Party (SDP) | Aligned with APC |  | 34,746 |
| 66. | Save Nigeria Congress (SNC) | Thomas Da Silva | Aisha Muhammad | 28,680 |
| 67. | Sustainable National Party (SNP) | Ahmad Buhari | Nwogu Kingsley | 3,941 |
| 68. | United Democratic Party (UDP) | Ishiaka Balogun | Shuaibu Mohammed | 3,170 |
| 69. | United Patriot (UP) | Mark Emmanuel  | Okeke Moses | 1,561 |
| 70. | Unity Party of Nigeria (UPN) | Ahmed Inuwa | Echemor Nkwocha | 1,631 |
| 71 | We The People of Nigeria (WTPN) | Nwangwu Uchenna | Olanrewaju Adebowale | 732 |
| 72 | YES Electorates Solidarity | Ali Soyode | Balkisu Abdullahi | 2,394 |
| 73. | Young Progressive Party (YPP) | Kingsley Moghalu | Umma Getso | 21,886 |

**Source:** https:/en.wikipedia.org/wiki/2019\_Nigeria\_general\_election & Compiled by the Authors (2020*)*

The table above indicated a voting pattern where for the first time in the electoral history of presidential election in Nigeria a number of 73 political parties contested. The large number of political parties made the 2019 presidential election a unique affair in comparison with previous presidential elections in the country.

However, one noticeable trend was that the 2019 presidential election recorded the lowest voter turnout in comparison with that of 2007, 2011 and 2015 respectively. In 2007, a turnout of 57.5% of 61.5 million registered voters was recorded, in 2011, a turnout of 56.4% was recorded, in 2015, a 46.8% voters’ turnout was recorded while in the 2019 presidential election, only 39.09% voter’s turnout was recorded. Among other reasons, political apathy, and the postponement of the presidential election from 14th of February, 2019 to 23rd of March, 2019 were cited for the low voter turnout in the 2019 presidential election.

The statistical details of the 2019 presidential election result indicating the summary of votes cast is further shown in Table 2 below.

**Table 2:** Summary of Votes Cast in 2019 Presidential Election in Nigeria

|  |  |  |
| --- | --- | --- |
| **S/N** | **Summary of Votes** | **Total Count** |
| 1. | Registered Voters | 84,004,084 |
| 2. | Registered Voters (As Collated) | 82,344,107 |
| 3. | Accredited Voters (As Collated) | 29,364,209 |
| 4. | Valid Votes (As Collated) | 27,324,583 |
| 5. | Rejected Votes (As Collated) | 1,289,607 |
| 6. | Votes Cast (As Collated) | 28,614,190 |

**Source:** *INEC Official Report (2019) & Complied by the Authors (2020)*

### Critical Issues in the 2019 General Election in Nigeria

The 2019 presidential election in Nigeria had several pitfalls that hindered its fairness and participative nature and some abnormalities in spite of the huge budgetary allocations dedicated to the exercise. In the wake of the 2011 and 2015 elections, INEC, other organisations such as Civil Society Organisations (CSO), the security agents, representatives of the media, observer groups and individual researchers made valuable recommendations on how to improve and democratise Nigeria’s electoral process. Their emphasis however ranged from issues like campaign expenditure limits to election security and rigging. Below are some of the flaws inherent in the recently concluded presidential election in Nigeria. ***Digitalising the Electoral Process in Nigeria***

The processes of voting, counting and collation of votes cast was done manually in some Polling Units (PU) in the 2019 presidential election in Nigeria and this caused significant glitches that compromised the integrity of the election. Besides reducing the potential for errors, digitalising the process also saves time and human resources. Furthermore, digitalising the election process is more climates friendly. The heap of papers used during elections, no doubt, contributes to the depletion of the election environment and climate change. ***Validating Candidacy Based on Expressed Electorate Support.***

It was outrageous and borderline ridiculous that there were seventy-three candidates in the 2019 presidential election in Nigeria. Some of these candidates are unknown to the populace and are fully aware of their inability to win votes. It was, therefore, not surprising that twelve of the seventy-three candidates withdrew from the presidential race on the eve of the elections and endorsed the candidacy of the incumbent, President Muhammadu Buhari. This was a waste of the nation’s resources as the electoral commission had already printed ballot papers and documents with their names and logos of the various parties. This development in the electoral process compounded and truncated the level of valid votes cast **(Obisesan, 2019). *Facilitating the Voting Process for Persons with Disabilities (PWDs):***

Democracy emphasises inclusion and the electoral process should not be designed to alienate the population of persons living with disabilities in Nigeria. According to the National Population Commission, no fewer than 19 million persons live with disability in Nigeria. In spite of this relatively large population of PWDs, the electoral process does not seem to fully take their needs into consideration. The Continuous Voter Registration (CVR) centres and polling units are sometimes not easily accessible to persons living with disability. Though it must be noted that the INEC adopted a PWD Framework in 2018, the fact still remains that more intentionality has to be put into the process to ensure inclusion of PWDs. Publishing documents and organising sensitisation workshops on the theme of PWD voting is not enough if it is not followed up with concrete actions that increase the accessibility of the process. At every polling unit, special booths should be dedicated to PWDs. It will also be a giant leap towards inclusion if provisions are made for PWDs whose conditions imply the absence of fingers, hence the impossibility to thumb print.

#### Over Centralisation of the INEC

The over-centralisation of power in the INEC constitutional responsibility also calls for serious concern. This emanates from the fact that it is the prerogative of the president to appoint the INEC chairman twelve national commissioners, and 37 resident electoral commissioners, one each for the 36 states of the federation and the Federal Capital Territory, all of whom are appointed bythe federal government. According to Omotola (2010) this makes INEC easily susceptible to manipulationby the President and the federal authorities. The oversight roleexpected of the legislature in the screening of presidential nominees forINEC positions is rendered impotent. Ordinarily, anindependent INEC will require a consolidated account, where a specifiedproportion of federal revenue is allocated on which it exercises direct control. In this way, the INEC can enjoy independent funding, thereby limitingthe financial control the executive can exert. In Nigeria, however, this is not yet the case. Under the current civilian administration, INEC does not have an independentbudget, but instead depends almostentirely on the presidency. This significant centralised financial control contributesto the inability of INEC to make adequate, timely planning and preparationsfor successful elections.

### Conclusion

Electoral administration has to do with the processes, be it rigorous or complex through which an election is conducted. In a nutshell, a lot needs to be done in the long and short runs, in order to overcome the recurrent challenges that often truncate the credibility of elections. This paper concludes that the 2019 presidential election has similitude with the previous presidential elections in Nigeria from the 29th of May, 1999 in terms of voting pattern. The electorates voted for their Presidents with much emphasis on ethnicity, religion and regionalism. The paper also argued that the 2019 presidential election differs in many ways from the previous presidential elections in the political history of the country.

One point of conviviality is the higher number of registered political parties up to 91 and 73 of them fielded candidates for the presidential contest. However, it is totally myopic and ill-informed philosophical advancement to label Nigeria as democratic on the basis of the fact that it has held elections regularly. Elections on their own cannot be the yardstick for measuring democratic development as indicated by the assumptions of liberal democracy.

The paper recommends that a digital-based process be introduced to prevent the possibility of street thugs or area boys from hijacking ballot boxes or burning votes. Digitalising the electoral process may not be the silver bullet to all of Nigeria’s electoral problems but it is a step in a good direction. Adequate preparation should be made to forestall postponement of subsequent elections in Nigeria. The present political leadership of President Muhammadu Buhari should muster courage to empower the Independent National Electoral Commission so as to extricate the Commission from the stronghold of the executive arm of government. Postponing elections have become somewhat of an electoral tradition in Nigeria, as elections have been postponed for the past three election cycles starting from the 2011 general elections. Nonetheless, the postponement of a process to which four years and billions of naira were dedicated is inexcusable.

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# International Regulations on Laundering and Repatriation of Illicit Funds: The Need for Reforms

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### Abstract

*The international community has been embattled with curbing corruption especially the one involving the embezzlement and looting of public treasuries in developing countries. One of the proactive steps taken includes regulations to prevent the laundering of such illicit funds and facilitating repatriation of such funds to the Victim’s Countries. However, in spite of such efforts, the aims of the regulations appear not to be far-reaching. Reports by international organisations such as the World Bank, Organisation for Economic Cooperation and Development (OECD) and Transparency International (TI) are used as yardsticks to measure adequacy of the existing international legal and institutional frameworks regulating the laundering and repatriation of illicit funds with emphasis on developing countries in Africa. This paper finds that efficient prevention of laundering and repatriation of illicit funds is contingent upon a functional system of international prosecution and asset recovery mechanism which includes diligent implementation of existing legal framework and adoption of new repressive measures such as an international adjudicatory mechanism. Therefore, it is recommended that the existing operative regulations should be fully deployed and efforts should be made by the international community towards establishing a new international adjudicatory mechanism that will prosecute offenders and facilitate prompt repatriation of illicit funds.*

**Keywords:** Illicit funds,OECD, Laundering, Repatriation

### Introduction

The practice of moving money across borders has been known from time immemorial. Till date, the volume of legitimate international businesses results in millions of people transferring money in cash through various channels such as financial institutions, securities and exchange markets, or through the purchase of assets worldwide.

Agreed, with the globalisation of the world economy, this acceptable movement of money has enhanced inter-state economic relationships and eased international businesses. However, it has also resulted in a world-web of transnational organised criminal activities including money laundering among others. Money laundering is defined as "the act of transferring illegally obtained money through legitimate people or accounts so that its source cannot be traced" (Garner, 2009). The act involves three stages of moving, disguising and resurfacing of the money through multiple channels (IMOLIN, 2019). The bulk of this laundered money is either proceed of a crime committed (having criminal origins) or meant to be used to perpetrate crime (having criminal destination). The former entails bulk of illicit funds diverted due to corruption which takes several forms including transferring funds to evade tax payment or laundering of funds acquired through embezzlement by public officials or fraud, through multi-jurisdictional structures in order to hide their ownership (OECD, 2013), while the latter refers to money used for drugs, wildlife, and human trafficking, terrorism financing, purchase of illegal weapons, bribery of officials by international companies, tax evasion, etc.

The growth of money laundering as an international crime, alongside the huge political and economic security challenges posed by the diversion of illicit funds on developing countries, has prompted the adoption of legal and institutional mechanisms to regulate it at all levels. Several international and regional instruments have been adopted. These regulations largely focused on the prevention of the crime by obliging states to trace and confiscate the proceeds of the crime, with seemingly vague provisions for protecting the victim state from which the money was taken and ought to be returned. It is in the light of the foregoing that this paper seeks to review the current stake in curtailing the laundering of illicit funds due to corruption and return of the same to the victim states. The paper opens with a historical review of the legal and regulatory frameworks on laundering and repatriation of illicit funds and further assesses their adequacy or otherwise inachievingtheiraim**.** In doing this, an analysis of the impact of the frameworks on preventing the laundering of illicit funds and repatriation of the said funds was made. Therefrom, challenges faced by developing countries in recovery of assets from foreign jurisdictions were identified and recommendations were made to make the international regime more effective.

### International Legal and Regulatory Frameworks on Laundering and Repatriation of Illicit Funds

A historical review of the regulations showed that the international community was initially focused on making regulations for the prevention and prosecution of money laundering. This is evident from the provisions in most of the instruments. The Vienna Convention (1988) is considered to be the first international legal instrument imposing legal obligations on states to curtail money laundering (Le Nguyen, 2014: 53). Article 3(1b) of the instrument identifies the following as some of the components of money laundering:

* The conversion or transfer of property, knowing that such property is derived from an offence or offences, for the purpose of concealing or disguising the illicit origin of the property or of assisting any person who is involved in the commission of such an offence or offences to evade the legal consequences of his action;
* The concealment or disguise of the true nature, source, location, disposition, movement, rights with respect to, or ownership of property, knowing that such property is derived from an offence or offences;
* The acquisition, possession, or use of property, knowing, at the time of receipt, that such property was derived from an offence or offences*.*

The provisions of the Vienna Convention were mainly concerned with preventing the laundering of money either to be used for trafficking of narcotics or money gotten from already trafficked narcotics (proceeds of the crime). Therefore, Articles 3 and 5 of the Convention place an obligation on Member States to criminalise such acts of laundering and confiscate such laundered money.

In an attempt to comply with the obligations imposed by the Vienna Convention, in 1993, Commonwealth Ministers resolved, individually and collectively to put in place comprehensive provisions for criminalising money laundering and confiscation of the proceeds of crime, making money laundering extraditable, and promoting international cooperation for same purposes (Communiqué on Meeting, 1993).

To actualise the above resolution, they adopted the Global Action Plan on Organised Crime (GAPOC) at the Naples Conference (Naples Political Declaration, 1994). The Naples Conference was an unprecedented global convergence against money laundering as it brought together representatives from 113 countries and International Organisations (Evans, 1996:197). The GAPOC presented a broad range of measures to combat organised crime including national legislation; international cooperation at the investigative, prosecutorial and judicial levels for the prevention and control of money laundering.

These adopted measures culminated into the Palermo Convention (UNTOC) which strengthened the legal impositions already prescribed by the above Vienna Convention. In addition to that, the UNTOC encouraged international cooperation in the investigation and prosecution of organised crime by providing a framework for extradition and Mutual Legal Assistance between the Member States (UNTOC, 2003).

In response to the mounting concern over money laundering and its attendant negative effects, the Financial Action Task Force on Money Laundering (FATF) was established. Its objectives are to set standards and promote effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system. It made 40 recommendations that are intended to establish anti-money laundering (AML) Standards, thus, providing a comprehensive plan of action to combat money laundering. The FATF conducts annual assessments of Countries’ legislative and regulatory compliance with the FATF Recommendations, and publicly identifies “high-risk and non-cooperative jurisdictions" to alert other countries and mount political pressure on such countries to comply with the AML standards (FATF Recommendations, 1990). In November 2015, FATF produced guidance on Anti-Money Laundering/Terrorism Financing- related data and statistics, with publications to help strengthen countries’ understanding of the risks related to such transnational crimes (FATF, 2015).

However, with time, the international community realised that in addition to money used to perpetrate crime, the bulk of the laundered money traced were proceeds of cross-border corruption crimes perpetrated by individuals, especially from developing countries. This included the transfer of illicit funds by public officials; transfer of funds to evade payment of tax and bribery of officials or multinational corporations for various reasons. Therefore, the focus was gradually shifted towards preventing such crimes and repatriation of the proceeds to the victim countries. This culminated in the adoption of additional regional and international mechanisms (Wouters *et.* *al.*, 2012:5-34).

 The first response was the OECD Anti-Bribery Convention which is an anti-corruption convention aimed at reducing political and corporate corruption concerning bribery in international business transactions (OECD Convention, 1997). The convention obliges State Parties to criminalise the bribery of foreign government officials for all intents (Article 1), take measures to establish the liability of legal persons for commission of bribery (Article 2) and provide mutual legal assistance (Article 9) and make bribery a predicate offence of money laundering crimes (Article 7). The OECD monitors the implementation of the Convention through its Working Group on Bribery and publishes its reports.

Thereafter, the United Nations Convention against Corruption (UNCAC) was also adopted. Although, it is considered the first binding international instrument to regulate corruption (Le Nguyen, 2014:58), the Convention does not define ‘corruption’ but defines international standards on the criminalisation of corruption by prescribing specific offences as corrupt acts. The Convention covers the following offences- bribery of national and foreign officials, officials of international organisations (Articles 15&16); Embezzlement and misappropriation in both private and public sectors (Articles 17 & 22); Trading in influence (Article 18); Abuse of office or functions (Article 19); Illicit enrichment (Article 20); Money laundering (Article 23); Concealment and obstruction of justice (Articles 24 &25). However, many attempts have been made by several scholars and agencies to define the concept of corruption (Liu, 2016). An adopted definition within the context of this paper is provided by Transparency International thus: “Corruption involves behaviour on the part of officials in the public sector, whether politicians or civil servants, in whom they improperly and unlawfully enrich themselves or those close to them, by the misuse of the public power entrusted to them” (OECD, 2007).

The UNCAC outlines both preventive and punitive measures to be adopted by countries to facilitate the prevention of laundering of illicit funds and facilitate the return of such funds obtained through corrupt activities. Article 14 of the Convention mandates parties to take measures for prevention of money laundering while Article 31(2) obliges each state party to take such measures as may be necessary to enable the identification, tracing, freezing or seizure of, the proceeds derived from corruption for eventual confiscation. Chapter V of the Convention deals with asset recovery and mandates countries to which the criminal assets have been diverted to return the assets to the country from which they were acquired unlawfully (Articles 51, 52, 55 and 57).

Additionally, there are independent international anti-corruption agencies and UN organisations which also monitor, provide all kinds of assistance and initiate discussions on issues surrounding the laundering and repatriation of illicit funds across the globe. One of these organisations is the Stolen Assets Recovery Initiative (StAR), which is a partnership between the World Bank Group and the United Nations Office on Drugs and Crime (UNODC) that supports international efforts to end safe havens for corrupt funds. StAR works with developing countries and international financial centres to prevent the laundering of proceeds of corruption and to facilitate a more systematic and timely return of stolen assets. It publishes a database of its reports on the monitoring activities.

Another such organisation is Transparency International (TI) established in 1993 and focused on demonstrating the harmful effects of corruption on development, democracy, and good governance. It also advocates both legal and operational mechanisms to curtail this crime. It conducts researches and issues the ‘Corruption Perceptions Index’ which is a global indicator of corruption in the public sector.

Global Financial Integrity (GFI) established in 2006 is also one of such organisations committed to lead efforts in curtailing illicit financial flows and enhancing global development and security. It publishes reports on empirical analysis of illicit financial flows to and from countries. Such reports include the 'Trade-Related Illicit Financial Flows in 135 Developing Countries: 2008-2017' (GFI, 2020), and ‘Illicit Financial Flows from Africa: A Hidden Resource for Development’ (GFI, 2010).

The United Nations Development Programme (UNDP) also gathers reports to assist countries with information on laundered illicit funds from their countries. An example of such reports is the ‘Illicit Financial Flows from the Least Developed Countries: 1990–2008 (UNDP, 2011). Similarly, United Nations Economic Commission (UNEC) also works in collaboration with other agencies to monitor the economic developments of countries and provide reports similar to that of the UNDP above. An example of UNEC reports is the ‘2015 Report of the High-Level Panel on Illicit Financial Flows from Africa’ (UNEC, 2015). Other institutions such as the International Monetary Fund (IMF) and the World Bank (WB) also encourage and use economic incentives to pressure state parties to Anti-Money Laundering conventions to implement the embodied standards and obligations.

There are additional regional efforts in regulating the laundering and repatriation of illicit funds. In Africa, the efforts began with the adoption of the Nyanga Declaration on the Recovery and Repatriation of Africa's wealth in 11 African states by Transparency International (TI, 2001). During the adoption, it was lamented that an estimated US$ 20-40 billion has over the decades been illegally and corruptly appropriated from some of the world's poorest countries most of them in Africa, by politicians, soldiers, business persons, and other leaders, and kept abroad in form of cash, stocks and bonds, real estate and other assets (Evans, 1996:199).

The Declaration called upon the then Organisation of African Unity (now African Union) to "take a leadership role in representing the interests of Africa concerning the return of Africa's stolen wealth wherever it may be found on the globe and, as a first step, should adopt all reasonable measures to prevent the illegal appropriation and transfer of money from Africa's treasuries" (TI, 2001).

Pursuant to the call, the AU adopted the Convention on Preventing and Combating Corruption (AU Convention, 2003). Foremost among its objectives are preventing, detecting, punishing and complete eradication of corruption and related offences in Africa. The AU Convention outlines measures to coordinate and harmonise the policies and legislation across member states for the achievement of its objectives. Article 4(a-i) lists certain conducts regarded as acts of corruption to which the AU Convention applies. This includes bribery in the private and public sectors, embezzlement, illicit enrichment, concealment of proceeds of corrupt acts. It further urges state parties to adopt necessary measures to criminalise and prevent the laundering of the proceeds of corruption (Article 6).

In Europe, the Council of Europe had made attempts in regulating money laundering by targeting the confiscation of the proceeds of the crime. It had earlier on adopted the European Convention on Laundering, Search, Seizure, and Confiscation of Proceeds from Crime (EU Convention, 1990) and 15 years later, revised the same to include regulations on money laundered for financing terrorism (EU Convention, 2005). The focus of the latter Convention is to enhance international cooperation among the EU members for the prevention and punishment of laundering proceeds of crime, either for terrorism financing or for all other intent.

### The Impact of the Legal Regime in Preventing the Laundering of Illicit Funds

Money laundering is considered a global phenomenon and concerted efforts are made internationally and regionally to curb the menace. The bulk of the instruments, outlined measures and set standards are to be implemented by states to prevent laundering of money from and to their jurisdictions. However, global reviews of money laundering reveal that the said instruments have not solved the problem. From 2017 till date, the UNDP estimates the amount of money laundered globally to be as much as US$800 billion-US$2 trillion each year (UNODC, 2017). In terms of country assessment, the Basel AML report indicated little progress in countering money laundering by individual countries between 2012 and 2018, with about 64% of the 129 countries assessed considered at high risk of money laundering, with inefficient Anti-Money laundering frameworks (Basel, 2018). In 2019, the report indicated that few countries improved with very slow progress while some had moved backwards, while most countries (75 out of 125 assessed) are still at significant risk of damaging effects of money laundering (Basel, 2019). However, these reports include money laundering perpetrated with funds from both legal and illegal origins. That is, the reports include legal money which was laundered to evade tax or to be used to perpetrate crime and illegal money which was proceed of corrupt crimes itself. With respect to the latter which is the focus of this paper, statistics have also shown that the bulk of this money laundered were illicit funds stolen or diverted from the coffers of developing countries.

Boyce and Ndikumana (2001) conducted a study which showed that the 25 sub-Saharan African countries in their sample lost a total of US$285 billion from 1970 to 1996 through illicit capital outflows. Subsequently, the UNDP explored the illicit financial flows from 48 developing countries and found that such illicit flows from these countries increased from US$9.7 billion in 1990 to US$26.3 billion in 2008 (UNDP, 2011). Additionally, GFI in its study found that about US$1.8 trillion were illegally taken out of Africa from 1970–2008 (GFI, 2010). Recently, the United Nations Conference on Trade and Development (UNCTAD), the United Nations Economic Commission for Africa (UNECA) and the UNODC, at the UN Conference on Trade and Development in March 2018, presented their new project to improve statistics on the money Africa loses through illicit financial flows that rob the continent of billions each year, where estimates put the annual loss at around US$50 billion (UNCTAD, 2018). These mind boggling reports show that the operative instruments have not succeeded in preventing the laundering of illicit funds especially from the developed countries.

In almost all developing countries in the world, corruption is seen as a clog in the wheel of development. This is specifically true to Africa, which is considered the most afflicted region with leaders that rob its resources; the fortunes of 11 African Heads of State were published by French weekly (May 1997) to the tune of $36.7 billion (Lawal, 2007; 4). Lawal further argued that the inability to break the cycle of underdevelopment in Africa has been induced by the enormous corruption in the continent (Lawal, 2007:7). For instance, it was estimated that the former Nigerian President, Sani Abacha, stole and laundered as much as US$5bn of Nigerian public money during his military rule from 1993 until he died in 1998 (Al Jazeera, 2020). The Central Bank Governor of Angola, José Massano, declared that at least US$30 billion of Angolan money is held abroad, though that figure includes legal deposits (Eisenhammer & Maclean, 2017). The World Bank had also conducted a study on the development impact of money laundering on the economies of Malawi and Namibia. The report estimated that the loss of revenues linked to laundering of illicit funds due to corruption and tax evasion amounts to 5% to 10% of their GDP (Mason, 2013).

In the wake of these terrible statistics, it becomes imperative to review the international measures put in place to curb the laundering of illicit funds and make efforts in a bid to salvage the victim countries. The above statistics show that there are still gaps that need to be addressed to curb corruption and prevent the stealing of public funds by corrupt officials.

From the preceding discussions on the international frameworks above, it is evident that the UNCAC is the only legally binding universal anti-corruption instrument that regulates the laundering of illicit funds and mandates return of the same, from the Custodial State to the Victim State. Most of the other regulations provide soft law, merely calling on States to adhere to their provisions and observe established standards. Besides, the institutions merely provide model legislation; periodic reports on laundered illicit funds, and technical assistance in litigations involving money laundering or recovery of laundered assets, etc. which can only serve as working tools for interested member States. For instance, only the 36 OECD countries and 8 non-OECD countries - Argentina, Brazil, Bulgaria, Colombia, Costa Rica, Peru, Russia and South Africa - have adopted the OECD Convention on Bribery OECD Convention (OECD Convention, 2007).

Looking at the UNCAC, although it has as one of its aims, the strengthening of international law enforcement and judicial cooperation between states concerning prevention of corruption and recovery of its proceeds, a look at the above statistics of laundered illicit funds show that the aim is far from being achieved. To this end, the UNCAC is criticised for being devoid of providing country-specific measures (Heckler *et*. *al*., 2019). In agreeing with that position, the paper posits that the UN needs to take cognisance of the specific legal and structural limitations of developing states in implementing the measures outlined by the UNCAC. For instance, the obligation for tracing proceeds of laundered illicit funds entails the employment of advanced technological, professional and infrastructural facilities, which are deficient in many of the African-victim countries.

Additionally, the UNTOC also provides a solid basis for mutual legal assistance and law-enforcement cooperation in the fight against money laundering by providing a framework of international legislation and facilitating cooperation between state parties. However, just like the UNCAC, the advancement in the nature of criminal networks using new technology and economic facets make the UNTOC inefficient in dealing with crimes such as money laundering. In analysing the inadequacy of the UNTOC in combating transnational organised crime as a whole, Livey (2017) is of the view that state parties remain wary of using the UNTOC as it does not provide a clear, elaborate concept upon which states may rely, legislate and train around (Livey, 2017:3). She posits that the interplay between the transnational crimes, state sovereignty and political power also make the UNTOC incapable of addressing such crimes (Livey, 2017:36). This is particularly true to money laundering perpetrated by corrupt officials; the perpetrators are mostly politically exposed persons highly placed in their home countries thus difficult to prosecute. The act is done through various interstate channels using evolving technologies and professional expertise that make it difficult to investigate and prosecute using traditional measures in the UNTOC.

Similarly, whereas the adoption of the AU Corruption Convention is a significant step, a little while after it came into force in 2006, it was posited that the real impact will depend on several crucial considerations, including clarity of the substantive obligations imposed, conformity of the newly adopted norms with existing legal and human rights obligations, proper municipal implementation of these norms, good governance, proper monitoring, and robust international enforcement (Snider *et*. *al*., 2007). Analysis of its impact, a decade later, found that the adoption of the measures outlined in the Convention did not reduce the corruption index in about 46 African Countries (Barkley & Maduka, 2017:72). This can also be emphasised with the various reviewed reports cited above showing that the bulk of existing instruments are not effective. In fact, more money is reported to be illegally diverted now than ever before, with very few of the culprits brought to book (FATF, 2019).

In similar contexts, criticisms abound the EU AML and repatriation System (StAR, OECD 2011:41-42). It is undisputed that the EU has also made efforts towards curbing the laundering of illicit funds. For instance, it has made attempts at monitoring and reviewing both international and national tax issues to prevent laundering for tax evasion, and also improved regional cooperation by overcoming certain bottlenecks posed by lack of adequate national laws. One of such achievements is the encouragement of recovery in Non-Conviction Based (NCB) cases between the EU countries, even in the absence of domestic NCB confiscation laws in the EU Countries. Non-Conviction Based Confiscation (NCB) is the confiscation of traced assets in the absence of a conviction. It is considered to be an effective mechanism for freezing and confiscating assets. Between January 2010 and June 2012, almost $60 million of $146.2 million in proceeds returned were captured under NCB confiscation actions. However, these efforts can only have an impact on those countries without taking cognisance of the spill over effects of flows from other countries. Although another author (Ritter, 2015) believes that these countries deliberately make regulations that are inadequate to regulate the flow of money from developed countries and facilitate return of same. Ritter points out that the perpetrators of money laundering take advantage of ambiguous legislation. He, therefore, concludes that the developed countries that provide safe havens for these launderers must take appropriate measures by reviewing their laws for the benefit of the developing ones, who are usually the victim countries (Ritter, 2015:27). That being said, it is therefore safe to conclude that all of these treaties seem not to present a concerted response to curb money laundering because their vaguely worded obligations are not adequately implemented due to the lack of effective implementation mechanisms. This inadequacy extends to international asset recovery which entails the recovery of such illicit funds laundered by corrupt officials from their home countries to foreign jurisdictions.

### Challenges and Limitations in International Asset Recovery

International asset recovery is defined as the process of tracing, freezing, and returning illegally acquired assets to a foreign jurisdiction. Asset recovery cases generally require preliminary investigations in both the victim state and the custodial state to gather the information that will assist in tracing and freezing the laundered assets. Thereafter, legal actions are instituted for the recovery of such assets in the custodial state. International cooperation is needed to share evidence in support of actions instituted in foreign jurisdictions by the victim states or to enforce a domestic order of confiscation in cases instituted by the custodial state (Vlassis *et*. *al*., 2013). As mentioned earlier, the UNCAC mandates state parties to take measures to facilitate the recovery and return of laundered proceeds of corruption. Hence, the UNCAC and other operational international regulations prescribe measures to be adopted by state parties to provide each other with the necessary cooperation in pursuing such legal actions. Notably, Article 31 of UNCAC that deals with ‘Freezing, seizure and confiscation of assets.’ It provides that each state party shall take, to the greatest extent possible within its domestic legal system, such measures as may be necessary to enable confiscation of: (a) Proceeds of crime derived from offences established in accordance with the Convention or property the value of which corresponds to that of such proceeds; (b) Property, equipment or other instrumentalities used in or destined for use in offences established in accordance with the Convention. Additionally, Article 57(3) provides a precise obligation upon the custodial state to return assets derived from embezzlement of public funds or money-laundering. However, a critical analysis of the current stakes in the recovery of assets beyond the borders of the victim state shows some challenges do exist in the process.

In terms of seeking repatriation of proceeds of corruption, the practice that only the governments of a victim state can seek the recovery of illicit funds to the exclusion of other stakeholders is detrimental to the development of the state, where the said government does not take proactive steps to do so. An analyst posits that most developing countries lack the political will to recover due to relative reasons (Davis, 2016:292-293). Some of such reasons include family or political affiliations with the perpetrators of the corrupt acts or sheer incompetence on the part of the administrators. A classic example can be seen from the Abacha loot in Nigeria where the Goodluck Jonathan’s administration was widely criticised for its efforts in the repatriation of the final sum of the Abacha loot from Switzerland (Etemiku, 2018). The criticisms focused on the agreement which is said to contain many clauses to the disadvantage of the country. The contentious provisions included the exorbitant percentage of commissions to be paid for legal services and that Nigeria must write off any uncovered assets presumed to remain in Switzerland as a condition for repatriation of the said USD$322.5m.

Even when the governments are proactive, problems abound which hinder efficient recovery. These problems range from difficulty in international cooperation in conducting investigations and prosecution of asset recovery cases to lack of harmony in national laws concerning confiscation and return of assets to foreign jurisdictions. In its efforts to assist governments with asset recovery, reports by StAR show that identifying, seizing and repatriating stolen assets is no easy task. The Anti-corruption Resource Centre calls asset recovery “one of the greatest challenges for the global anti-corruption movement” (Zinkernagel *et*. *al*., 2014). This is true for both developing and some developed countries. Vlassis *et*. *al*. (2013) posited that the victim states often struggle with asset tracking and financial investigations, understanding requests made by the custodial states, and gathering the needed evidence.

Although, in attempts to carry out their treaty obligations which mandate states to harmonise their domestic criminal laws with the provisions set out in the conventions to remove frictions caused by the differences between national criminal laws to enhance inter-state cooperation in the recovery of assets, some states have made relevant national legislations. However, the provisions of the national laws do not reflect such harmony. Most of the laws enable the state to freeze any such illicit funds or assets without provisions on how to ease recovery of those assets by the victim country. For example, Canada enacted the Freezing Assets of Corrupt Foreign Officials Act requiring banks, companies, and other entities to freeze the assets of corrupt individuals. However, the legislation does not address the return of same to the victim countries. Similarly, the United States Department of Justice (Asset Forfeiture and Money Laundering Section) created a new policy called the Kleptocracy Asset Recovery Initiative. Its stated objectives are ‘to identify the proceeds of foreign official corruption, forfeit them, and repatriate the recouped funds for the benefit of the people harmed’ (USDOJ). However, the policy for the operations by the initiative has a solid legal framework for the seizure of assets but not for the return of such assets as that is still subject to formal requests and recovery process by the Victim countries (Norman, 2017).

Suffice it to say that there have been successful collaborations between the victim states and the custodial states to facilitate the repatriation of illicit funds. For instance, the United Kingdom through its Proceeds and Corruption Unit (PoCU) under the DFID has been actively involved in investigations in close collaboration with the Arab Republic of Egypt, Malawi, Nigeria, Uganda, and Zambia. They have pursued money laundering charges through the U.K. courts, provided evidence for similar prosecutions overseas, and supported the freezing and confiscation of assets, including securing the conviction in a U.K. court of the former Nigerian state governor James Ibori, several of his associates, and his U.K. solicitor (Gray *et*. *al*., 2014). Recently, The United States, Government of Jersey and Nigeria made an agreement to repatriate US$308million of illicit funds connected to the former Nigerian military ruler, General Sani Abacha (US Mission, 2020a). Sequel to the agreement, the Nigerian Attorney General, Abubakar Malami, was reported saying "this agreement has culminated in a major victory for Nigeria and other African countries as it recognises that crime does not pay and that it is important for the international community to seek for ways to support sustainable development through the recovery and repatriation of stolen assets."

However, there are more sad stories than the successful ones. A look at the span involved in the recovery of illicit funds from the custodial states shows that more is left to be desired. For instance, one of the aims of the 2020 US-Jersey-Nigeria agreement earlier cited is to obtain recovery in respect of an order for forfeiture of some assets granted by a court in the US since 2014, whereas the illicit laundering was done since when Abacha was Head of State between 1993 and 1998 (US Mission, 2020a). The negotiations for repatriation only commenced in 2018, with the actual repatriation of the said proceeds of the assets done two years after on 4 May, 2020 (US Mission, 2020b). The US Embassy stated that there are additional US$167 million in stolen assets also forfeited in the United Kingdom and France, and another US$152 million still in active litigation in the United Kingdom.

Similarly, the process of repatriation from Switzerland involving other Abacha loots also took several years with the recovery just concluded in 2018 (Ademola, 2019). Another instance is that of Liechtenstein which took 14 years of legal manoeuvring to return US$225m to Nigeria in 2014 (BBC, 2014). China had also initiated the 2014 “fox hunt” which was an attempt to recover its laundered assets to the tune of US$128.8bn but the project had limited success. The reasons were not far-fetched as analysed by the China Web Editor thus:

The legal prerequisite for recovering officials’ illicit assets is a court verdict declaring them guilty of corruption. Without such a verdict, Chinese judicial officials cannot approach their foreign counterparts for help. And since the majority of corrupt officials are yet to be arrested, China cannot recover their ill-begotten assets. This shows that the challenge of coordinating judicial practices across international borders is just one of the reasons why, despite support from governments and international institutions, the amounts recovered and returned has been woefully small compared to the vast sums of illicit flows (Anyangwe, 2014).

As mentioned above, one of such challenges is the legal requirement in Articles 54 and 55 UNCAC requesting victim states to present a legally admissible copy of the order of confiscation issued by its domestic court to be executed; or a detailed request to obtain an order of confiscation from the custodial state and execute same in that foreign jurisdiction. These alternatives have proven difficult to achieve. In respect of the former option, tracing of such laundered funds to secure domestic conviction is a herculean task because of the network of perpetrators involved in the act of laundering, while initiating fresh legal actions as entailed in the latter option requires much more efforts and collaboration from the custodial state. On the other hand, using civil claims to recover the money has the undoubted advantage of requiring a less strict burden of proof than that required in applying criminal law. However, international cooperation in this regard is also considered less developed (Borlini *et.* *al*., 2015). Article 43 UNCAC mandates state parties to cooperate in criminal cases for asset recovery while they simply have to consider assisting each other with regard to proceedings in civil and administrative matters. Nevertheless, this coordination appears easier said than practiced amongst the states.

One of such attempts at collaborating in judicial processes by the Nation-States is partaking in Mutual Legal Assistance Agreements (MLAs). This is also done pursuant to the measures outlined by the various international instruments (Arts 9 OECD Convention; 18 Vienna Convention (UNTOC); 46 UNCAC). These MLAs are aimed at developing a mutually acceptable framework for assistance in legal proceedings between the parties. However, they have also not proved efficient in assisting countries recover illicit funds. They are considered to be slow, formalistic, and complicated even for experienced jurisdictions, and more so for developing jurisdictions (Gray *et*. *al*., 2014:41). Successful implementation of MLAs requires robust domestic tools such as laws permitting rapid freezing of assets, Non-Conviction Based confiscation, and direct enforcement of foreign confiscation orders. These are considered lacking in most jurisdictions (StAR, OECD, 2011:43).

Even when countries have the tools, they may not be applied equally to all foreign jurisdictions. For instance, StAR reports that between 2006 and 2009, the majority of asset freezing or recovery cases involved other developed countries. Only 11 developing countries fell outside this group, accounting for less than 40% of assets frozen and returned; and the assets were frozen pursuant to other domestic laws in the custodial states not based on MLA requests between the states (Gray *et*. *al*. 2014:23). Additionally, MLAs require stringent formal procedures which places an unnecessary burden on the victim countries that are required to engage several others to enter the agreements. This is particularly strenuous on the personnel and resources of the corruption-stricken countries as their funds are siphoned to almost every country available. The above excerpts highlight the far-reaching drawbacks in the legal process of international asset recovery.

Another reason for the drawback is lack of consistency in the implementation of the global aim of development by the custodial countries. Looking at statistics of the value of such laundered funds/assets identified and frozen by foreign governments, with the percentage actually repatriated even more negligible, one would be tempted to say that a greater percentage of the custodial states do not show much good faith towards the prosecution and repatriation of the laundered illicit funds having a haven in their states. According to the StAR reports (Gray *et*. *al*., 2014:23), despite some positive developments in repatriating laundered money, a huge gap remains between the results achieved and the billions of dollars estimated stolen from developing countries each year. Between 2006 and mid-2012, OECD Members returned US$423.5 million, compared to the estimated US$40 billion stolen each year.

In addition to the above statistics, manifestations of these selfish interests by the custodial countries can be seen in some notable decisions of courts. In the United States, two money laundering cases alleging illicit acquisition of assets, one involving a legal title of a home valued at nearly three-quarters of a million dollars in Washington, D.C., belonging to a former state governor in Nigeria, and another involving a set of original life-sized Michael Jackson statues worth millions of dollars belonging to the son of the former President of Equatorial Guinea and ‘Second Vice President’ culminated in forfeiture orders with the depositing of the proceeds into a government account as the vested property of the United States (Davis, 2016:296). Interestingly, none included a criminal conviction to allow the victim states to institute actions for recovery and all were outcomes of prosecutions brought by the U.S. Department of Justice under the Kleptocracy Asset Recovery Initiative. This shows that the United States was mainly concerned with the forfeiture of the assets into its treasury and not the interest of the victim states in convicting the criminals for the offences and returning the confiscated assets.

Whereas, even where the order for confiscation is made to include the return of confiscated assets back to the victim country, the orders are made with certain ambiguous conditions that make the return difficult. Examples can be seen from the order of a Swiss court in respect of US$115 million in a frozen Swiss bank account belonging to the Government of Kazakhstan to be disbursed “to an independent foundation to benefit the people of that country,” making it difficult for the country to prove such. Another such order was made in the United Kingdom involving Tanzanian assets confiscated within the UK where the court ordered that the money should only be repatriated “for the benefit of the people of Tanzania.” The Government of Tanzania had to seek the assistance of the DFID, which is an organisation under the same government that gave the order, in developing a befitting proposal to get the funds repatriated. The DFID was delegated to monitor the expenditure of these funds by the Tanzanian government. Although it can be inferred that the motive of the UK government is to prevent corruption-related problems in the disbursement and none was reported, it is on record that the Tanzanian government kept encountering problems in getting the funds (G20, 2013).

These cases culminating in huge losses to the victim countries were invariably preceded by the laundering of funds stolen from the coffers of the various governments by public officials. Most of them are developing countries in need of such funds to sustain their economies. Whereas those countries providing havens for the illicit funds are mostly developed, raising the presumption that they are using those funds to develop their own economies to the detriment of the former.

Acha (2012) also observed that many developed countries through overt and covert policies have encouraged the fleecing of these developing economies by providing safe havens, which include tax havens, secrecy jurisdictions and offshore financial centres, for illicit funds. He therefore suggested that while the developing economies particularly those in Africa are encouraged to take concrete steps to prevent the acquisition of these illicit funds locally, the developed ones should discourage their absorption in their economies, which is yet to happen. Invariably, the custodial states should use values such as good faith as motivation in dealing with the victim states, rather than their vested interests.

Having realised that the developing countries are the worst hit by this non-repatriation, the governments of such countries are at the forefront in the call for international cooperation to aid the repatriation of illicit funds. In 2017, the Angolan president was reported to have made an open request to Angolans especially public officials who have laundered money abroad to repatriate the same for the developments of the country. His call was made with a concession for non-prosecution of offenders if done within an ultimatum, otherwise, perpetrators risked forfeiture and prosecution. Lourenço is reported to have threatened non-compliant perpetrators with prosecution and confiscation of such assets wherever they may be found. However, the achievement of such feat he said is subject to collaboration with the foreign authorities and therefore seeks for the same in getting back such assets (Eisenhammer, 2017).

In 2019, at the 74th United Nations General Assembly in New York themed ‘Promotion of International Cooperation to Combat Illicit Financial Flows and Strengthen Good Practices on Assets Recovery and Return to Foster Sustainable Development,’ the Nigerian president, Muhammadu Buhari, joined his Zambian and Ethiopian counterparts in calling for unity among African countries to demand unconditional repatriation of assets stolen from the continent (*Punch*, 2019). According to Buhari, a combination of “international laws, different jurisdictions and justice systems” make it deliberately difficult for repatriation. He also noted that any lasting solution to the challenges would require international cooperation and coordination. In addition, Ethiopian president, Zewede, was reported saying that “innovative solutions require sustained discussion among countries and various stakeholders in the spirit of partnership and shared responsibility.” Zambia’s president, Edger Lungu, highlighted some challenges faced by African governments in effectively tackling these IFFs and listed them to include a lack of harmonisation in the legal and institutional frameworks and ineffective coordination between different jurisdictions.

### Recommendations

Even though there appear to be substantial efforts by the United Nations system, the World Bank, the IMF, the OECD, regional organisations such as EU and AU on curbing money laundering and repatriation, it appears there is still room for improvement. The international community has to take an alternative approach by making substantial legal and administrative reforms. This could entail either making a new legal regime to specifically address laundering of money, whether legally or illegally obtained, from developing countries to the much more developed ones and making stringent provisions for the return of same to the victim states; or amending existing instruments to make the repatriation of confiscated assets binding on the custodial states. Since enforcement of existing legal regime is difficult because of political and economic interests in the countries, it is the view of the present author that if the developing countries that are mostly the victim states and, in the majority, show strong desire to have such reforms, the developed states (usually the custodial states) will most likely oblige.

It is also recommended that nation-states should revise their laws for higher level of compliance with existing regulations. The custodial states should make relevant laws that will enhance the speedy repatriation of confiscated assets to the victim countries. The victim countries should not be made to institute fresh legal proceedings for repatriation which are unnecessarily delayed and which consequently occasions spending a substantial part of the assets on advocacy or outright forfeiture of the stolen assets to the custodial state.

To curtail the above problem, it is further recommended that a separate international court be established to adjudicate matters on corruption or money laundering in particular. This is because domestic prosecution and the MLAs made by the countries to enhance the investigation and prosecution of suspected launderers across the States have not proved efficient. More often than not, coordination of cross border prosecution is difficult and practically unsatisfactory. A centralised international adjudicatory system will ease the process and make binding enforcement obligations on the States.

### Conclusion

In line with the global agenda for development, the world has shown a concerted effort to fight corruption-related offences as evidenced by the various regional and international mechanisms adopted. This is crucial if at all the poor countries which suffer from corrupt practices are to attain any of the set-out Sustainable Development Goals. However, there are lingering problems identified concerning preventing the laundering of illicit funds from the coffers of the developing states and returning such funds when they are identified.

Although the mandatory character of the UNCAC provisions make it a unique tool for developing a comprehensive response to money-laundering resulting from corruption, lack of an international judicial body that will prosecute offenders has scuttled the fight against money laundering. The above position has relegated its prosecution to the domestic realm, which has over the years proved inefficient. Reports have shown that there are few successful convictions on charges relating to money laundering the world over in comparison with the number of actual perpetrators. This is obviously due to international administrative and legal bottlenecks in the investigation and prosecution of such cases. Even where convictions are successfully secured whether within or beyond the borders of the victim country, getting back the laundered illicit funds remains a herculean task for these victim states, who are mostly developing countries. More often than not, they are required to institute fresh actions in those countries where the funds are illegally kept with minimal success records. With respect to the nation-state’s efforts, there is need for transformation in the political and legal interactions between the states on the return of laundered assets to the victim states. There is need for additional multilateral pressure on these states to stop being havens for illicit flows. The crime, though perpetrated domestically is international in nature thus needs to be tackled from both ends. Hence, the need for an alternative international legal mechanism that will prosecute offenders and facilitate the efficient repatriation of laundered money back to the victim states.

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# Ritual Killings, Badoo Phenomenon, and the Socio-Economic Consequences in Ikorodu Local Government Area of Lagos State, Nigeria

## Faruq Idowu BOGE

### Abstract

*This article is a microcosmic study of crimes and criminalities in Lagos State, Nigeria. In the lights of the contemporary social problems and criminalities bedevilling the global space, the article examines the emergence and peculiar modus operandi of a notorious ritualist’s gang known as “Badoo” within the Ikorodu Local Government Area (LGA) of Lagos State. It investigates the impacts of the activities of the dreaded group on the social and economic fabrics of Ikorodu LGA in the face of the prevailing security challenges in Nigeria. The study adopts the historical and qualitative research methodologies where media reports, internet materials, interviews, personal observations, and extant literatures are collated for critical analysis. In conclusion, the study asserts that the activities of the ritualist gang were seemingly unprecedented in nature and character. It affected the socio-economic and security frameworks of the Ikorodu LGA and Lagos State, during the period of the rampage.*

**Keywords:** Ritual Killings, Badoo, Insecurity, Socio-Economic Constraints, Ikorodu LGA.

### Introduction

Crimes and criminalities have become inevitable aspects of human existence. Even the so called economically advanced societies of the world are confronted with different shapes of crimes and social problems. These range from immoral activities such as rape, sexual violence, and deviant behaviours to dire criminal activities such as man-stealing, kidnapping, human sacrifice, murder, armed robbery, vandalism, and a host of others. Within the space of the last few decades, however, the global space has witnessed the emergence of a number of terror groups which have rained devastating havoc on different parts of the world (Rourke 2005, 200-201). This development has affected the nature, dimension, and severity of criminalities across the world, Africa and the West African sub-continent in particular are not shielded from these criminal occurrences and manifestations. Nigeria, the most popular and populous African nation, has had to consistently grapple with numerous forms of criminalities including pipeline vandalism, terrorism and insurgencies, ritual killings, kidnapping, banditry among others. Lagos State, which is the economic capital of the country, is even more prone to various crimes and criminalities. To this end, some scholars have asserted that the massive rate of commercial and industrial activities which bring about a continuous increase in population is a contributing factor to the spate of crimes and criminalities in Lagos State (Olukoju, 1994:34-38). This rising rate of crimes, nonetheless, covers the lengths and breadths of the state, especially since the re-introduction of civilian administration in 1999.

The Ikorodu LGA is an emerging industrial and commercial hub which is strategically located within the north-eastern part of Lagos State. The LGA is engrossed with ravaging crimes and violence criminalities which have assumed destructive dimensions since the closing years of the twentieth century. These criminalities include secret cults rampage, land grabbing activities (*ajagungbale* in local parlance), pipeline vandalism and oil bunkering, kidnapping, ritual killings, bank robbery, public transport robbery (popularly called “one chance”), among others. The outburst of these criminal activities seriously constrained the existing security apparatus within the suburban area. In the light of the foregoing, this study interrogates the emergence, manifestation and impacts of the Badoo phenomenon within Ikorodu LGA of Lagos State. It endeavours to situate the phenomenon within the pre-existing and emerging global crimes and security challenges. The unique modus operandi of the gang and its target victims are therefore carefully examined. In addition, the study takes into cognisance the factors that prompted and promoted the evolution and escalation of the Badoo phenomenon and some of the socio-economic consequences. It further suggests some of the ways by which this sort of dire criminal activity could be eradicated in Ikorodu LGA, Lagos State, and Nigeria.

### Ritual Killings: The Reality and Myth

There seems to be no argument about the reality of the reoccurrence of ritual killings in annals of human history (Omoarelojie 2005). This could be gleaned from the fact that its incidences and manifestations are ubiquitous; it happens across the continents of the world as would be substantiated shortly. The phenomenon of ritual killings has entrenched historical antecedents because the precursors of contemporary ritual killings are located in history. Ritual killings or human sacrifice may simply be described as the act of murdering (human) lives in order to appease the deities or for spiritual and magical benefits. The deities are therefore expected to proffer solutions and succour to the yearnings and aspirations of the perpetuators with such benefits as transformation, immortality, healing, and societal cleansing. However, criminologists and psychiatrists have ascribed that the motivations for ritual killings are viewed from different perspectives (encyclopedia.com 2020). In this regard, mention have been made about the cultural and psychological perspectives to ritual killings.

 With respect to cultural perspective, ritual killing is said to have been influenced by the belief system and practices of a particular group or community. Some occultist groups adopt ritual killing as a prerequisite for their membership and a tangible means of achieving their goals. For example, in 1997, Luke Woodham, a sixteen-year-old Mississippian, was said to have murdered his own mother and two of his classmates (encyclopedia.com 2020). His motive for this act was specifically influenced by his membership of an occultist group which incorporated ritual murder as part of its institutional activity. Another example of cultural perspective to ritual killings is vampirism. Vampirism, which is a notorious cult in the Europe and America, believes that blood sucking and cannibalism could make members to obtain influence and immortality. For instance, a seventeen-year-old vampire, Michael Hardman, murdered a ninety-year-old Mabel Leyson in Anglesey (Wales) and drank her blood in order to achieve immortality (encyclopedia.com 2020).

Examples abound in Africa to demonstrate the reality of ritual killings. Some Africans, either individually or collectively in their communities, really engaged in ritual killings or human sacrifice. These were carried out to obtain solutions and favours from the ancestors, spirits, goddess, and gods (Asiwaju 1997, 22-42). For instance, Robert Smith reported the narration of a British representative at the Lagos Consulate during the mid-nineteenth century who reported a horrid tradition of annually impaling alive a young female by the community for ritual purpose. This was done to propel the goddess of the sea for a favourable raining season (Smith, 1978:9). Jeffery Boadu (2019) added credence to this when he asserted that “in certain parts of sub-Saharan Africa, slaves were used for human sacrifice in annual rituals, such as those rituals practised by the denizens of Dahomey.” In addition, many African communities engage in traditional festivals by which the bloods of the non-indigenes are spilled to appease the gods. In some parts of Ethiopia, youths in their teens can only be circumcised into manhood or adulthood when they were able to fulfil certain cultural dictate by which they must kill an enemy to demonstrate bravery (ezega.com 2009). Vital organs of the victim such as ears, noses, and toes were chopped and later presented as a sign of bravery. As parts of the cultural beliefs of the Omotic Speaking Karo and Hamar tribes of southern Ethiopia, children with deformities including those born out-of-wedlock, twins, those with chipped tooth, and those who cropped the upper jaw tooth before that of the lower jaw are considered impure and evil (Ngugi 2071). These children are referred to as “mingi” and are condemned for ritual sacrifices or for other very harsh treatments such as abandonment in the wilderness or drowning in the river.

Apart from the cultural interpretation for the perpetuation of ritual killings, the psychological perspective is also deployed to explain the motive behind the phenomenon. The emphasis of the psychological perspective is that ritual killing is motivated by decaying conscience and morality of the perpetrators. It is further asserted that socio-economic problems such as unemployment, poverty, psychiatric disorder, and substance addiction could influence the decision of people to involve in ritual killings. To substantiate this argument, some cases could be sighted. In 1978, for example, Richard Trenton Chase murdered a woman and drank her blood in the United States (encyclopedia.com 2020). After investigation, it was discovered that Trenton was not only undernourished but had been unemployed. He was further observed to have some mental illness and personally did not see anything wrong in his act. In Nigeria, Clifford Oji was allegedly a notorious cannibal during the 1990s (Dickson 2012). He was accused of human parts merchandise where he got his patronage from the influential people in the society. These parts were supposedly further used for rituals. Public opinion acclaimed that he was insane and psychologically unstable (Dickson 2012). Most of the youths that are used as foot soldiers for ritual killings in Nigeria fall prey for this act majorly because of unemployment and lack of opportunities.

 Most prominent among the reasons why people engage in ritual killings nowadays are for power and affluence. There are examples of situations where albinos, hunchbacks, and other special type of human beings are hunted for ritual killings in Nigeria, Kenya, and Tanzania (bbc.com 2015). Albinos were reported to be subjected to series of attacks in many African countries with Tanzania, DR Congo, Malawi, Mozambique and Burundi recording the highest numbers (Pereira 2019). The report averred that these attacks were with respect to the increasing search for the body parts of people with albinism for ritual purposes. This is because the hair, bones, genitals, and thumbs of albinos were believed to possess magical powers that could spring affluence, influence, and successes. This believe was staunchly held to the extent that graves of albinos were exhumed in order to get hold of their body parts for fortune rituals. This demand is usually towards electioneering periods as wealthy and educated elites running for offices consult traditional healers for success potions.

Furthermore, special parts of human beings such as the heart, the female genitals, female breasts, male spermatozoa and organ constitute some of the ingredients used for money-making rituals in Nigeria. In recent time, many dens of the ritualists where people were murdered in cold blood for political and financial fortune were uncovered in various parts of Nigeria. Typical example of these was the Soka forest in Ibadan, the capital of Oyo State, Nigeria. The forest of horror was discovered in March 2014 where living and parts of human bodies including hundreds of human skulls meant for ritual purposes were uncovered (Atoyebi 2014). The Okija shrine in the south-eastern part of the country was another typical example. It was generally opined that the perpetuator ritualists derived their patronages from wealthy and influential people, both in and outside government, within the country (newtelegraphonline.com 2015). In Yoruba land, there are rituals that were carried out to produce a number of charms for such occurrence as *ase* (command), *awure* (good luck), *owo* (respect), *igboya* (confidence), *ayeta* (shield from gunshot), and *okigbe* (shield from cutlass or dagger attack) amongst others. The ingredients used in concocting these medicines sometimes include body parts or whole parts of animals such as lizard, frog, and wall-gecko. Human parts are sometimes added (Informant A).

### Badoo: The Emergence and Manifestations

The actual emergence of the Badoo Phenomenon in Ikorodu Local Government Area of Lagos State is shrouded in uncertainties (Interactive Session with Honourable S. O. Agunbiade on Television Continental, titled “Badoo Rampage in Ikorodu” July 6, 2017), though it evolved as a typology of the prevailing criminal dimensions and manifestations in Nigeria. However, the peculiar modes of operations were unique in the historical records of the Ikorodu LGA and Lagos State. Literarily, Badoo used to be a household sobriquet which was used to qualify young socialites, particularly those whose names start with letters b, a, and d consecutively (such as *Bade* or *Bada*). The term became popularised after a young popular musician, Olamide, adopted it as a stage-name. Its popularity gathered further momentum when a famous Nigerian dating website adopted it as its handle. At this stage, nothing mythical or mysterious was associated with the appellation. But suddenly around 2015, Badoo began to be recounted for negativities within Ikorodu LGA, Lagos State, and Nigeria. It suddenly assumed an active subject of national discussions and assumed a registered trade mark in the annals of global crimes. The dreaded activities resounded panics and trepidation across the lengths of Lagos State throughout the years 2015, 2016, and 2017.

The first incidences of the Badoo criminal activities started in Ibeshe, an outskirt of Ikorodu Township (Akojede, 2017).At this stage, the general impression was that Badoo was a “one-man-show” that moved around in order to wreck havocs. During this period, Badoo was interested in raping female victims and using a white handkerchief to wipe their genitals for further ritual processes. The name Badoo became attached to these acts of terror as perpetrators began to inscribe the statement “I am Badoo” at the doors of the victims after operations (NANS, 2018). This inscription clearly demonstrates a terror group wanting to launch its brand of terror into national and global spaces. This is the way international terror groups such as ISIS and Al-Shabab christened themselves in order to win global recognition; they even go on the internet to lay claims to their terror activities. Badoo occultist or gangster nature became entrenched after the June 2016 episode when a perpetrator was apprehended in Ibeshe. The reoccurrence of the very similar terror activity in various other parts of the LGA, however, made people to come to term with the reality that Badoo was not a one-man-show. Many houses were broken into and families were wiped out of existence during the three years’ rampage.

Different terror groups and criminal syndicates across the globe have their peculiar mode of operations; the Badoo gang is no exemption as it had its unique peculiarities in this regard. In the first place, the instruments of operation were similar everywhere it occurred. While national and international terror groups such as Boko Haram and Al-Qaeda adopted bombs and ammunitions for their operations, the Badoo gang’s major implements for operations included mortar, grinding stone, pestle, white handkerchief, and oily lotions (Informant B). This was unique when considered with other cases of ritual killings scenes in Nigeria and Africa where charms and deceits were adopted to lure victims to unknown destinations for the ritual murder activities. In the case of Badoo, terrors were brought to the door steps of the victims rather than luring them to forests. The grinding stone or mortar, which was given to the gangs during initiation at the Badoo shrine, was used to smash the heads of the victims. Specifically, the mortar was used to suppress the victims to forestall retaliations or breaking of alarm. Also, it provided opportunity for the perpetrators to obtain the needed blood which would be presented at the shrine for money-making rituals. But why mortar and other stony objects, why not iron or other material objects? Perhaps there was a spiritual purpose for sticking to the stony objects alone.

The essence of the white handkerchiefs was to wipe the blood of the victims for later presentation at the shrine for the ritual purpose (NANS 2018). Like what was obtainable in Tanzania where albino parts mongers could earn as much as $75,000 for the harvests (Pereira 2019), there were reports that the blood or semen saturated handkerchief could earn the perpetrators of Badoo terror acts as much as N500,000 (approximately $1,400 during the period of rampage) when a successful ritual examination is carried out on the handkerchief (Usman and Sessou 2017). Though this amount is definitely in the realm of speculation and outrageous, it is very certain that financial compensation was a huge motivating factor for the perpetrators. Furthermore, the white handkerchief, which seems to be the most symbolic object of the Badoo phenomenal, is used for money-making rituals, rituals for political influence, immortality, crowd pulling, among others. This mythical belief is deeply rooted in African traditional socio-cultural system no matter how unscientific it may sound. The purpose of the oily lotion on the other hand is for escape, perpetrators are said to always saturate their naked bodies with engine oil or other oily lotions in order to enhance their escape in case of eventuality (Informant C). however, this is not peculiar to Badoo ritual murders alone, there were occasions when armed robbers usually wet their bodies with oily lotions during operations in order to perpetuate easy escape. Another unique feature of Badoo activities is that the instruments of operation such as the mortar and oily lotion were usually left behind after operations. This is probably to further establish a trade mark and demonstrate that the crime is an organised one, worthy of recognition. On the other hand, these instruments could be easily acquired unlike the costly ammunitions that were used by other criminal gangs.

Another peculiar thing about Badoo was that the terror activities were mostly carried out during the dead silence of the night. There were suggestions that the gang adopted hypnotising chemicals in order to captivate its victims before the attacks. There were other suggestions that mystical powers were deployed in order to gain invisible entrance to houses. However, it is important to emphasise that the mid-night operation period seems to be the most suitable, especially judging by the reality of intermittent supply of electric power within the environments coupled with unavailability of street/security lights during this period. It even goes along to substantiate the Yoruba aphorism which says *oru la’n se ika* meaning “evil things are done in the night;” though the basic philosophy behind the aphorism seems to be untenable considering modern realities. Related to this is the fact that about ninety percent of the dastardly acts were carried out within the suburbs and in uncompleted apartments where there were absence of burglaries including absence of basic amenities such as accessible roads and security posts that could generate prompt responses from security machineries. Furthermore, the buildings in these suburbs apart from lacking burglaries were haphazardly constructed that bushes where criminals could hide were predominant.

Another peculiarity about the Badoo phenomenon is the mode of recruiting its membership. In this regard, it was suspected that the membership of the cult is sourced through the plethora of employment adverts that were usually placed in various parts of the LGA (Informant C). It is therefore submitted that the innocent and desperate job seekers who were later invited to unknown destinations were lured and initiated into the cult of Badoo. Apart from these adverts, many unsolicited and anonymous text messages were usually sent to potential job seekers inviting them for job interviews. The socio-economic situation of the country whereby a great number of able bodies (graduates and non-graduates alike) roam about aimlessly made it easy for the ritualists to play on the helpless intelligence of these young persons. Upon recruitment, the new gang members were initiated through oath making and training in the acts of Badoo which took place in the Badoo shrines (Nseyen 2018).

Another aspect of the Badoo phenomenon which demands adequate intellectual rumination is the issue about sponsorship. There were speculations that the gang was engineered by the natives of the LGA (*the* *omo oniles*) in order to recover the landmass which had been initially sold to the non-indigenes (Informant B). It was therefore projected that Badoo was introduced by the autochthons to force the land-buyers to abandon their parcels of land in order to resell the land to other prospective buyers. It was even further asserted that most of the Badoo casualties were non-indigenes. Though the natives clearly debunked this proposition, the correctness of these speculations seem inefficient. This is because scaring people away through Badoo may be counter-productive in the sense that it would also prevent prospective buyers from venturing into land acquisition within the areas. In an emerging commercial and industrial hub like Ikorodu LGA, there is every possibility that the population would be increased by preponderance of non-indigenes, especially within the new sites. This may be the reason why the non-indigenes constituted the major victims of Badoo activities.

On the other hand, there is another speculation that members of the Badoo gang were sponsored by the elites in the society. In fact, this seems to be the view of Mr. Akinwunmi Ambode, the governor of Lagos State during this period, when he said *inter* *alia* “as far as Badoo case is concerned, I don’t believe that rituals can be taking place without some people being behind it. So, I challenge all our Kabiyesi, Balees, and traditional rulers to arrest this situation. We will support you” (Akojede 2017). Some residents also pointed accusing fingers at the elites within the area. The head of the Odua People’s Congress (OPC), Otunba Gani Adams supported this view. Meanwhile, Honourable S. O. B. Agunbiade during the interactive session with Television Continental, debunked the accusation against the traditional rulers using their pedigrees to substantiate his argument. However, public opinion seems to support the view that Badoo was a group of unemployed youths who were enticed into the cult of ritual killings by the influential and wealthy people (Akinferon 2017). Summarily, Badoo criminal perpetrators included the youths who were enticed to carry out the ritual killings; the sponsors who provide the weapons and emolument for executing the acts; and the ritual killing herbalists who supervised the shrines and carry out the rituals for money making. A number of Badoo shrines were discovered in Ikorodu, Agbowa, and some parts of Ogun State. The then Lagos State Commissioner of Police, Mr. Fatai Owoseni, was of the opinion that the gang usually rape, remove vital organs of the victims, and remove foetus of pregnant women during the period of rampage (Akojede, 2017).

 Its exceptional peculiarities apart, one of the manifestations of the Badoo phenomenon was that it generated series of reactions and protestations from the populace. At different occasions, palaces of the paramount kings such as that of the Ayangburen of Ikorodu, Adeboruwa of Igbogbo, and Olubeshe of Ibeshe were visited by disenchanted people on peaceful demonstrations. In the case of the Adeboruwa palace, a group of women in their hundreds launched complaints at the doorstep of the king about the Badoo menace (Adelabu 2017, 21). In another vein, on the morning of a brutal occurrence of Badoo act in the Odogunyan suburb, in the northern hemisphere of the Ikorodu LGA, a mob in their hundreds from Odogunyan and adjoining communities trekked a distance of about 15 kilometres to the palace of the Ayangburen of Ikorodu to register their displeasure about the menace of Badoo cult (Adelabu 2017:21). The import of these mob protestations is that Badoo terror activities generated tensions and trepidation across the LGA. Another manifestation of the dreaded phenomenon was that it spurred some kind of migration. Some residents, particularly those who reside within the vicinities where Badoo was very active, had to relocate for the fear of fallen victim of the terror activities (Adelabu 2017, 21). This movement, however, is a normal characteristic of crisis ridden environments. During the rampage of pipeline vandals within the western hemisphere of the LGA, many residents relocated to other parts of the LGA in 2014 and 2015.

The quest for security of lives and properties, particularly during the period of severe security challenges, has been one of the major yearnings of man. Owing to the temerity of the Badoo terrorist activities, security vigils became the duty of almost every resident within the LGA. Usually coordinated by the Community Development Associations (CDAs), people organised themselves into vigilante groups in order to forestall Badoo attacks. There was instruction that residents and visitors must always carry means of identification, especially during the night hours to avoid being mistaken for Badoo. Whistles, torch lights, machetes, and burn-fires became the necessary ingredients of night life in many communities (Informant D). However, the security mechanism was confronted with the problem of improper coordination as some hoodlums began to hijack the process to unleash untoward characteristics such as extorting money from road users particularly during the late hours of the night (Informant E). Another manifestation of the Badoo phenomenon was the issue about jungle justice. As the spate of the terror continued unabated in face of flagging security architectures, people began to adopt the instrument of jungle justice (Informant E). This was particularly influenced by the fact that people began to suspect that the Police was compromised by the sponsors of Badoo. There were allegations that the Police released apprehended suspects after collecting bribe from the sponsors.

Lynching and burning alive of suspects became the next resolution of some people and there were occasions when suspects were either mobbed or burnt to deaths (Akojede, 2017). Though hasty in their reactions, lack of update from the Police in the aftermaths of arrests was a major factor that prompted people into jungle justice. Truly, the Police was supposed to exercise due diligence in the investigation of suspects, but there was the need to keep the public updated. Moreover, the populace had lost some trust in the Police based on its antecedents of sometimes abetting crimes. Cases abound in Nigeria where security personnel are found culpable of conniving with criminals to perpetuate unlawful activities. The jungle justice resulted in a number of deaths. A popular comedian, Paul Chinedu, was mistaken for Badoo during the wee hours and was burnt to death with his Sports Utility Vehicle. Popular opinion acclaimed that he was innocent but even at that he was not completely blameless. Having understood the prevailing security circumstance of the period, it would have been better for the victim to avoid late hour journey. Secondly, the materials found in the vehicle including engine oil and stones made the assailants to prematurely conclude that he was on a Badoo mission.

Among the factors that promoted the emergence of Badoo phenomenon in Ikorodu LGA was greed and the get-money-quick syndrome among the people. Many people are bent on becoming very rich without minding whatever it would take to achieve this, particularly among the youths. The society aids the situation by its glorification of quick-money-getters. The greed of wanting to continue to dominate the political and socio-economic spaces by some individuals also immensely contributed to the factors that prompted people into ritual killings for wealth, affluence, and popularity. The exponential rate of unemployment resulting from the continued economic doldrums within the country was also a contributing factor. The growing number of unemployed youths constituted the army of criminals that were used in perpetuating nefarious activities including Badoo. The traditional belief system which admits that charms and the performance of ritual sacrifices can enhance fortunes in business and politics also enhanced the emergence and escalation of the Badoo phenomenon. The poor and corrupt policing system also contributed to the outbreak and spread of Badoo. This is because the perpetrators and their sponsors were assured of protection and escape because of the corrupt policing system.

Another major factor was the inadequate housing plan or what could be termed as urban sprawl. Majority of the Badoo activities occurred in areas that were lacking in adequate development plans and necessary social facilities such as good road networks. With routes for escape, the criminals enjoyed orchestrating their activities within these vicinities. Apart from the huge amount of unoccupied lands and forests within the adjourning areas of Ikorodu, the relative cheap value of lands served as incentive for land speculators to massively move into these areas without adequate development plans. The weakened and overwhelmed security architecture within Nigeria and Ikorodu LGA also contributed to the emergence of Badoo within the LGA. The lack of prompt responses to distress calls from the security apparatus also encouraged the Badoo gangs to engage in their devilish activities.

### The Security Architecture in the Face of Mounting Insecurity

The geography and demography of the Ikorodu LGA during the closing decades of the twentieth century were drastically penetrating and burgeoning. Conversely, the extension of habitation to suburb and rural areas was unattended with necessary infrastructural facilities including official security outfits. With regard to security, the constitutional responsibility to prevent and curb social menaces in Nigeria primarily lies within the purview of the Nigerian Police Force (NPF). The NPF has some physical presence within Ikorodu LGA with an Area Command at Ijede and several police stations. The Nigerian Civil Defence Corps is another security mechanism established by the federal government to monitor and support the security needs of the people. Branches of this Corps are located within Ikorodu LGA. In addition is the presence of the barrack of the 37 battalion of the Nigerian Armed Forces at Odogunyan-Ikorodu. In Nigeria, the military is often mobilised to assist in caging some civil unrests. The Operation Sweep and OP MESA that were established by past administrations in Lagos State to curtail armed robbery and other social crimes for example, were majorly drafted from the military personnel. The Lagos State Government also established some security architectures which assisted in promoting security within Lagos State. The Lagos State Neighbourhood Watch which later became the Lagos State Neighbourhood Corps (LSNC) was established with branches and operations across every part of the state. The LSNC mostly delves into intelligence gathering and tip-off activities for the Police.

 Apart from the federal and state government security outlets, a number of local security mechanisms were established to galvanise security within the Ikorodu LGA. The quest for ensuring adequate security is located in antiquity as many African societies including Ikorodu and environs fortified their communities with hunters and the military caste prior to colonial rule (Olowosago 1992). Establishment of vigilante group within the Ikorodu LGA is traced to the colonial epoch when the people sought for official permission to launch vigilante groups owing to increasing crime rates (Gibbon 1937). This trend continued during the post-colonial period to the extent that the Ikorodu Local Government Council promulgated a bye-law that mandated each community to organise its vigilante group (Olowosago 1991). The law also incriminated any residents who refuse to pay the monthly security levy. Numerous communities keyed into this and various CDAs within the LGA employed security guards to secure lives and properties.

During the moments of the Yoruba-Hausa ethnic clashes in Lagos and Ogun States in the 1990s, the Odua People’s Congress (OPC) was formed as a Pan-Yoruba socio-cultural security outlet with membership and branches across the south-western geopolitical zone (Akinyele 2001, 623-640). With the emergence of OPC, attention was shifted to the group for the provision of security services. Private individuals, schools, companies, and communities within the LGA began to use members of OPC for security services. The Ikorodu version of the OPC later cropped up due to the dwindled reputation of the OPC and owing to the peculiarity of the LGA. This local security group was christened *Onyabo* with a mode of operation similar to that of the OPC. They were to curtail crimes and handover any suspect to the recognised security outfits. They also prioritised African juju mechanisms (e.g. *igbadi*, *oruka*, and *on’de*) as means of curtailing crimes and social menace within the society (Informant F). One of the major strengths of *Onyabo* is that its members understand the terrain of the region very much.

Even with the presence of the above identified security mechanisms, criminal activities continued unabated within Ikorodu and environs. In fact, as the area continued to witness expansion and development, it kept witnessing various dimension of crimes and criminalities. Cultism and internet fraud found their convenience within the domain. Armed robbery, man-stealing, kidnapping, car theft, bank robbery, drug addiction, and “419” among others became very ripe within the LGA. However, ritual killings have its historical antecedent within the LGA (Oderemi 1990), but got to its apogee during the Badoo phenomenon. In the face of all the aforementioned security apparatus, the Badoo phenomenon reigned for almost three years. The summary of public opinion, however, was that the NPF lacked adequate capacity both in terms of personnel and investigative prowess to provide appropriate security for the populace. In the first place, the ratio of its personnel drastically falls short of the United Nation’s benchmark of one police to four citizens. Apart from the ratio, a close observation of the activities of many of the NPF personnel shows a massive lack of capacity, integrity, and character. These ineptitudes and insufficiencies throw the security of various communities in Nigeria into abysmal failures. In particular reference to the activities of Badoo, the lack of proactive measures from the police at the initial stage through intelligence gathering and prompt action had been found culpable of actually propelling the menace. In the real sense, however, little should be expected from a less supervised and unmotivated force with grossly inadequate policing gadgets. Lack of trust in the police force is another major factor militating against effective policing services and festering of criminal activities like Badoo. Due to its antecedents, people were not comfortable to give necessary information which could assist the efficiency of the police. This situation made the NPF to be almost absolutely overwhelmed with the level of insecurity.

It was in order to complement the efforts of the NPF in curtailing crimes that the OPC and the *Onyabo* emanated. In the face of burgeoning criminal activities, these supplementary mechanisms also failed to address the issue of crimes and ritual killings within Ikorodu LGA. Lack of official recognition and limited operational capacity were parts of the factors that militated against the effectiveness of these groups. In fact, the OPC was proscribed during the Obasanjo civilian administration. Members of these groups were not permitted to use weapons like the police thereby limiting the rate at which they could combat crimes. Though the *Onyabo* achieved some successes in curbing the menace of “street cultism” within the LGA, it was completely found wanting with respect to Badoo. Socio-political interference and consideration were among the factors that constrained the efficiency of the OPC and the *Onyabo* group. At a point, the pioneer leader of *Onyabo* was said to have been suspended for issues relating to local political interference and leadership tussle, just as there was leadership tussle and fractionalisation within the ranks of the national OPC. The recruitment mechanisms of both the NPF and the local security group was another major problem abetting insecurity in Nigeria and Ikorodu LGA in particular. Those that were most readily available for recruitment into these establishments were those with criminal inclinations and antecedents. Sometimes, members of the *Onyabo* were alleged to be former cult members who were using the opportunity of their new assignments to witch-hunt opposing cult groups (Informant F). The implication of this situation is that the complementary security outlets also lacked the capacity to provide common fronts to withstand the menace of Badoo giving it the necessary strength to exist for such a protracted period.

### Socio-Economic Impact of the Badoo Phenomenon

Situations of insecurity are always attended by consequences ranging from loss of lives and properties, disruption of peace and tranquillity, interruption of economic activities, destruction of social co-existence, and invocation of fears and trepidation amongst other negative impacts. The Badoo phenomenon within the Ikorodu LGA clearly was no exemption to this general situation because its unleashed series of dire socio-economic impacts. Prominent among the negative impacts of Badoo was that a number of lives amounting to hundred plus were directly or indirectly killed (Akojede 2017). This number included the people who were murdered in cold blood by the Badoo; in some cases, an entire family was wiped off. A number of suspects were also either lynched to death or burnt alive. Another negative consequence of the Badoo phenomenon within the Ikorodu LGA was the destruction of some social fabrics such as restrictions of movements. As far as religious activities were concerned, people were unable to observe their religious activities such as late-night vigils, early night congregations, and early morning devotions.

Apart from the religious activities, people lived in perpetual panic during the Badoo rampage to the extent that night social activities became drastically deserted. Night clubs, beer parlours, and eateries where people relax during the early night periods completely became shadowy as socialites deserted these places under the damning level of insecurity as a result of Badoo. A prominent Night Club (popular called F1) within the Ipakodo area of the LGA where youths (young and advanced) cohabit daily during the night hours became drastically deserted owing to Badoo rampage. F1 was unable to completely regain its activities even some periods after the Badoo phenomenon had subsided (Informant G). The people of the LGA who were generally known to be massively endeared with weekly *owanbe* social parties were forced to limit the number of parties and hours spent at these occasions.

Sporadic arrests and harassment of innocent residents by security personnel also became rife and incessant within the LGA as a consequence of the Badoo phenomenon. Mutual suspicion became the order of the day as a chunk of the citizenry began to point accusing fingers towards the traditional rulers, political elites, successful businessmen and women, and other influential people as the brains behind the unpalatable experience. In addition, the image of the LGA during this period was so battered that people from different parts of the globe began to see it as a primitive den of ritualists. The negative socio-economic impact of this notion cannot be overemphasised as it had high tendency of scaring away prospective industrialist, commercialist, investors, and land speculators.

 Apart from the social constraints that attended the Badoo experience, there was a number of economic retrogressions that evolved owing to Badoo incidents. Transporters and motorists were majorly hit by the Badoo phenomenon. Public vehicle operators and commercial motorcyclists were seriously affected by the situation because their activities were restricted to few hours as a result of the reigning insecurity. Many of these people were bread winners of their families. Vehicle owners were also affected by this scenario because of the seizure of the daily “deliver” from the operators. Hoteliers and hospitality industry suffered huge losses as they recorded low patronage because very few socialites, tourists, and businessmen were interested in coming to the LGA during the period of rampage. Those who engaged in small scale businesses were affected by the menace of the Badoo experience. For example, those who engaged in airing European football matches (popularly called Viewing Centres) encountered very low patronage during this period because many football lovers could not afford risking their lives for ‘mere’ football shows. Petty traders such as food vendors, recharge card retailers, provision shops owners and others who usually carry out their trading activities during the wee hours of the night and early hours of the morning were unable to do business due to the Badoo rampage.

 Some of the industrial outlets within the LGA were also affected by the activities of the Badoo gang. This was because the occasion restricted the movements of their personnel who needed to move during the early mornings and late nights for their night and morning shifts. This led to absentees which definitely affected productions. People in the construction industries were also affected by the menace of the Badoo experience (Informant H). Due to the rampage, particularly within the suburbs, many people who were developing their houses had to abandon them. Many bricklayers, labourers, sand and granite suppliers, the block moulders, the water suppliers, the carpenters, the electricians, the plumbers, architects, civil engineers and a host of others who relied on this sector for their socio-economic survival were prevented from carrying out their activities during the Badoo rampage. In addition, the spate of land speculations within the LGA was drastically reduced as the news that flittered out of the area during the period of rampage completely discouraged prospective land speculators. Though it was very difficult to quantify the amount of economic loss because of the predominantly informal nature of the LGA’s economy, that there was huge economic lost during and immediately after the period of Badoo rampage is incontrovertible.

### Conclusion

This study unravels the misery behind the evolution of the Badoo ritual killings within the Ikorodu LGA of Lagos State, the commercial capital of Nigeria. Though the phenomenon spread to other areas in Lagos and Ogun States, this study concentrated on Ikorodu LGA which was a rapidly growing urban setting. The Badoo experience virtually rendered the security contraption within the LGA ineffective and inefficient. This prompted the people into taking laws into their hands by engaging in jungle justice. Many lives were lost and economic activities were virtually thrown into shambles. Badoo generated trepidation, mistrust, and lack of social cohesion among the people during the storming period. The security challenge was surmounted through concerted efforts from the government, the community people, and the security outfits. However, Badoo and the spate of other forms of ritual killings that were bedevilling the country could be reduced through a number of mechanisms. These include creation of public awareness about the heinous activities of the ritualists, introduction of strong legislation against ritual killings, incorporation of mechanism against ritual killings into the education curriculum, disabusing the minds of the populace about the efficacies of ritual sacrifice, curtailing youth unemployment, and keeping the police and other security personnel up-to-task on the general insecurity in the country, efficient policing system that would ensure effective intelligence gathering and provision of modern policing gadgets, regulating indiscriminate employment adverts, and strict adherence to modern town planning and infrastructural development.

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# Social Development Approach to the Promotion of Human Rights

## Tariro TENDENGU & Lameck TENDENGU

### Abstract

*Traditional models of development have been criticised for not considering issues bordering on security rights, legal rights, political rights and cultural rights as major aspects contributing to socio-economic and sustainable development of countries. Development is a concept and a multifaceted phenomenon. It involves social, political and economic progress facilitated by quick technological evolution. Todaro (2012) states that development is a multidimensional process involving the reorganisation and reorientation of the entire economic and social systems. Various models have been put forward trying to define and shape development at a global level. Some of them are classical while others are contemporary. Traditional models of development include the Linear Stages Growth model influenced by the writings of Harold Domar and W. Rostow in the 1950s, modernisation theory and the dependency theories. These models emphasize development along economic lines where attention is given to increased savings, economic investment and acquisition of appropriate technology which lead to structural transformation of the economy and production. This paper therefore seeks to argue on the contention that traditional models of development have long been criticised for lack of attention to human rights and inadvertently contributing to human rights violations (Androff, 2006). This contention will be examined with reference to the role played by the Social Development Approach (SDA) to the promotion of human rights in Zimbabwe.*

**Keywords:** Development, Socio-economic development, Sustainable development, Human rights, Zimbabwe.

### Introduction

Social development is a cross-disciplinary approach which analyses the processes that build a more equal and social society. This paper seeks to examine the contention that traditional models of development have long been criticised for lack of attention to human rights and inadvertently contributing to human rights violations (Androff, 2006). This argument will be examined with reference to the role played by the social development approach to the promotion of human rights at global level. World Bank (2010) defines social development as transforming institutions in order to enhance social outcomes. This entails about the change of social institutions and structures in the developing countries to promote social justice. According to Hall and Midgely (2008) social development is a process of planned social change designed to improve the welfare of the population as a whole in conjunction with economic development. Primarily concerned with how to meet employment, food, economic, social, cultural, security and environmental needs of nations around the world. Human rights express the bold idea that all people have claims to social arrangements that protect them from the worst abuses and deprivations and that secure the freedom for a life of dignity (UNDP, 2005).

Human rights bring to development the notion that people are entitled to have their basic needs met, and that those in power have a duty and a moral obligation to facilitate this process. There are traditional approaches to development such as Modernisation Approach and Dependency Approach which ignored human rights to development. Social development approach considers strengthening of people’s basic rights as an integral and essential part of the development process at global level. Social development encompasses factors such as gender equality, participation in development processes, right to shelter, right to education, and respect of cultural diversity in promoting the population of lives and livelihoods which this essay shall examine in regards to the promotion of human rights at global level.

### Development

Development is a multidimensional process involving change in particular attitudes, structural change, the re-organisation and reorientation of the entire economic and social system that involves radical changes in the institutional, social and administrative structures. Development is a concept and multifaceted phenomena. It involves social, political and economic progress facilitated by quick technological evolution. Todaro (2012: 261) states that development is a multidimensional process involving the reorganization and reorientation of the entire economic and social systems. Roggers (1999:30) defines development as a long participatory process of social change in the society whose objective is the material and social progress for the majority of population through a better understanding of their environment.

### Social Development

Midgely and Pawar (2017) argue that social development is a three-dimensional approach involving structural change and transforming societies, planning and linking social and economic development as well as realisation of human potential, improving quality of life and meeting human needs. According to Dominelli (1997:29), social development is “a dynamic way of organising resources and human interactions to create opportunities through which the potential of all peoples- individually and collectively, can be developed to the full.”According to Midgely (2013:16), in social development, “practice interventions function as investments that contribute positively to economic development” and “because they are based on social investments, they generate rates of return to the individuals, households and communities that benefit from these investments as well as to the wider society.”Social development values human growth and potential. Similarly, social welfare recognises the importance of promoting human potential. The Social Development approach is mainly focused on realising human potential, alleviation of poverty, social inclusion. In addition, there is the focus on tackling human rights violations. In relation to socio-economic development, human rights, whether viewed from the left or right perspective from a progressive or reactionary stand-point, is essentially a major world-wide legal, philosophical and moral phenomenon of the 21st century (Ghai, 2007).

### Human Rights

Human rights refer to the basic rights and freedoms which all humans are entitled, often held to include the right to life and liberty, freedom of thought and expression and equality before the law (UN, 2006). Ghai (2007) defines human rights as laws, customs and practices that have evolved to protect ordinary people, minority groups and races from oppressive rulers and governments. This lack of attention to human rights by traditional models of development led to the rise of social development approach as a measure or strategy to integrate the human face in all forms of development. According to Turner (2015), human rights approach to development is focused on conscious and systematic enhancement of human rights in all aspects of programme and project development and implementation. It is a concept for the process of human development that is normatively based on international human right standards and operationally directed to promoting and protecting human rights. The human rights-based approach has a twofold objective which are to empower people (rights holders) to claim and exercise their rights and to strengthen the capacity of the actors (duty bearers) who have a particular obligation or responsibility to respect, protect and fulfil the rights of the poorest, weakest, most marginalised and vulnerable and to comply with these obligations and duties

Human rights-based approach has a better implementation to social policy. Social policy implementation utilising the human rights-based approach (HRBA) differs from a HRBA project. This is because in a HRBA project, both duty bearers and rights-holders are involved in the implementation process, (Royce, 2009).

### Critique of Traditional Developmental Models

The linear stages growth model to development as proposed by Harold Domar often lack attention in explaining human rights violations as a factor which impedes development. The traditional theory assumed that for economic growth to occur both developed and developing countries have to achieve economic growth so as to attain a certain level of saving and productivity of capital. Midgely (2013), argued in terms of development, critics claim that the model sees economic growth and development as the same in reality economic growth is only a subset of development. The model is based on the assumption that economic growth and productivity are closely linked to development and they can be achieved by increased domestic product and investment. The linear stages growth model as proposed by Harold Domar assumes that in development terms countries should adopt realistic budget allocations so as to achieve economic development. However, it can be argued that the linear stages growth model to development has been criticised for lack of emphasis on human rights violation. For instance, although some developed countries such as United States of America have managed to reach high mass consumption, yet the issues pertaining to human traffic and racial discrimination limits social development.

The dependency approach, as propounded by philosophers such as Andre Frank Gunder of the 18th century, can be criticised for not including the Human Rights Approach in development. The dependency theory attempts to explain the present underdevelopment state of many nations in the world by examining the patterns of interactions among nations and by arguing that inequality among nations is an intrinsic part of those interactions (UN, 2006). For instance, in relation to the tenets of the theory, developing countries are to adopt western ideas in order to achieve development. Taking Zimbabwe as a case study Structural Adjustment Programmes and Economic Adjustment Programmes which were implemented soon after independence were adopted from Western countries but these programmes failed as they did not consider issues relating to social development. On the same note, Irvine (2004) argued that the dependency theory is based on the assumption that the cause of the low levels of development in less economically developed countries (LEDC’s) is caused by their reliance and dependence on more economically developed countries (MEDC’s). Contrary to this scholarly view, it can be argued that in most cases less economically developed countries often fall trap as the dependency approach often lead to the so called “dependency syndrome.” The dependency theory as argued by Ghai (2007) forms its basic tenets based on “a situation in which the economy of a certain group of countries is conditioned by the development and expansion of another economy to which their own is subjected”

Modernisation is defined as a transition from primitive, subsistence economies to technology intensive industrialised economies, and from subject to participant political achievement-oriented systems. Modernisation stress the shift of modern-technology, develop institutions and labour habits complementary to industrial production (Theron, 2008). The modernisation theory has been criticised as its tenets affirmed that developing countries should emulate the development patterns followed by developed countries regardless of the capability, environmental constraints and cultural differences between nations. For instance, African countries such as Uganda were forced to adopt certain European cultural values such as homosexuality so as to receive aid that would boost income savings hence fostering economic development. It can be argued that the rights of Ugandans are, by this forced adoption of Western principles, violated. Their right to liberty is by this condition violated.

The traditional development models undermine development participation which is contrary to Social Development in promoting human rights. According to Midgely (1995) the early models of development such as dependency theories and structuralism were not participatory in nature. Those who owned resources have power in the development of communities and the voices of the poor face exclusion in development processes. For instance, in relation to Economic Structural Adjustment Programme (ESAP) programme, Zimbabwean government was directed to subscribe to IMF but the organisation did not consider the social development aspect. In Marxists terms, having the means of production was the key to development and the people who had resources facilitated the development process (Royal Commission on Social Policy, 1998). This led to the criticism of the traditional models of development. However, the rise of social development approaches was associated with promoting human rights in relation to equal participation in the development process.

Traditional models were criticised on gender equality by Social Development model. According to Androff (2006) discriminatory acts based on gender have been a characteristic of most traditional models of development. During industrial revolution in Europe the conditions of women were very poor. For instance, they received low wages as compared to men and they were sexually abused in factories (UNDP, 2000). The traditional approaches were not eager to address the issue of gender equality. Gender inequality in employment remains an important labour market phenomenon which deserves an increased attention from policy makers and lay persons interested in equality, a core issue in social development in the majority of countries around the world (Matta, 2008). The Social Development Approach’s role of supervision and enforcement systems promote equal treatment of employees. Social Development model acknowledge the problems that arise out of gender-segregated labour markets as female and male employment stereotypes are still being reinforced (ILO, 2007|). The Social Development Approach promotes measures and policies to deal with inferior labour opportunities which the traditional models failed to consider.

The traditional model hinders participation and decision-making because when external funding is required in the form of international aid or perhaps remittance incomes from migrant workers living overseas (Rauch, 2019), societies have no right or power to make decision on what they really want. They must adhere to the conditions of those who are funding them (Warner, 2019). For example, Zimbabwe was put under sanctions because of the land reform programme which violated their right of freedom to partake in decision-making on their economy. The consequence is that Zimbabwe failed accessing aid from International Monetary Fund (IMF) and Word Bank (WB). This is shown in the second stage of Rostow’s traditional model, the pre-condition to take off, which is the transitional stage that establish the conditions necessary for further growth and development and savings investment growth, although they still would be small percentages of national income (GDP).

### The Social Development Approach in Promoting Human Rights

The social development approach has been credited to be one of the dominant theories in addressing issues relating to human rights violation in developing and developed countries. Ghai (2001) argued that the principles and goals enunciated in the Copenhagen Declaration had a central theme of a commitment to…. a political, economic, ethical and spiritual vision for social development that is based on human dignity, human rights, equality, respect and peace and full respect for the various religious and cultural backgrounds of people….”The Copenhagen Declaration on Social Development has been effective in addressing issues related to human rights violations especially in developing countries as it places its major emphasis on democracy and transparency in addressing human rights issues in developed and developing countries. For the protection and enforcement of human rights at global level, the Copenhagen Declaration on Social Development the formed its basis on the attainment of human rights as the centre of development. Midgley and Tang (2017) argued that the Copenhagen Declaration formed its basis on international and regional conventions on human rights such as the United Nations Declaration on Human rights and International Labour Organisation.

The Social Development approach is often credited in promoting human rights at a global level as it mainly addresses issues related to structural changes in the political, social and economic arena as major aspects in social development. Theron (2008) argued that, modernisation and dependency approaches to development are way backward as the theories share the conviction that development is a process that is able to bring progress in terms of development on a people centred perspective. The traditional theories do not focus on structural injustices that exists in societies leading to human rights violations. For instance, in addressing issues related to gender disparities that exist especially in developing countries, women especially those living in primitive areas have been hindered from participating in politics as a result of social class and status. The United Nations (2006) as an international entity with the jurisdiction for universal human rights legislation opine that, “political rights form the basis of human rights that protect the liberty to participate in politics by expressing themselves, protesting and participation in a republic….”This has been the basis of the Social Development approach as it is mainly aimed at addressing structural inequalities that exists in as far as development is concerned.

The social development approach is crucial and plays a significant role in the promotion of human rights when compared to the Harrod-domar Model which explained economic growth as the major aspect which contributes to socio-economic development of both developing and developed countries. Contrary to this, the social development approach is goal oriented towards addressing issues relating to human security. World Bank (2010) notes that human security brings together the human relatives of security, rights and development. As such it is an inter-disciplinary concept that is people-centred, multi-sectorial, comprehensive and context specific. For instance, with reference to terrorism and human trafficking in countries such as Afghanistan, the then ruling Taliban forcibly evicted and displaced tens of Tajikins from the Shamali plains. The Taliban systematically burned houses and destroyed the agricultural infrastructure of Tajikin living in that area thus inhibiting development as the human right to security was outlawed. In the case of African countries, the tribal issues relating to xenophobia have contributed to underdevelopment especially in countries such as South Africa in which foreigners are often deprived of their rights to human security and freedom from torture. Midgely (2013) highlighted that the social development approach is as “a process of planned social change designed to promote the well-being of the population as a whole within the context of a dynamic multifaceted development process.”Social development therefore focuses on change that is meant to promote human well-being and potential.

For Traditional models of development, industrial diversification and increased capital production in the high mass consumption are seen as major aspects that explain development globally. The theories have been criticised for not considering human needs, such as proper health care, adequate sanitation services and access to education, during the five stages of development as major factors which can contribute to socio-economic development. According to Midgely (2013), social development has a goal of promoting the wellbeing of individuals through ensuring that social needs are met, social problems are effectively managed and social opportunities are created. For instance, in Zimbabwe, in terms of access to adequate healthcare facilities, the National Heath Strategy for Zimbabwe (2016-2020) seeks to have the highest possible level of health and quality of life for all its citizens by providing, administering, coordinating, promoting and advocating for the provision of equitable and accessible health services (Kanyenze, 2014). In line with the Social Development Approach, this has contributed to having a healthier populace and thus enhancement of development. However, it can be argued that as a result of issues relating to mismanagement of funds, the Social Development Approach has been criticised as it does not consider political, social and economic constraints relating to bad governance that may occur in providing services to people. For instance, the cholera outbreak which occurred in Zimbabwe in August 2018 which lead to many deaths has been attributed to be the violation of human rights as the government failed to address the issues relating to clean and safe drinking water.

The social development approach as compared to traditional models of development mainly focuses on equality and also focuses on progressive social change in terms of resource distribution. The Universal Declaration on Human rights (1960) denotes that all human beings are born free and equal in dignity and rights; they are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Traditional models have been criticised as they did not conceptualise the principles of egalitarianism and equality so as to achieve social development. This contributed to capitalism and slavery, especially during the industrialisation period in Europe. For instance, disadvantaged groups such as the elderly, women, the elderly and children were abused resulting to human rights violation as European countries mainly focused on industrialisation which favoured the proletariat, while ignoring the disadvantaged groups. The Copenhagen Summit emphasise that social development is a crucial mechanism to development as it highlights the need of societies to cater for disadvantaged groups by providing social welfare services to a populace in need of care on equal basis.

The dependency theory, as propounded Gundar Frank, has been contested by various scholars and social scientists as it only emphasised material and economic factors as major catalysts for development. However, it can be argued that compared to the Social Development Approach which is mainly aimed at realising the human potential, human security and promotion of human wellbeing, traditional approaches to development did not address major issues relating to human rights violations but were only focused on economic growth. Ghai (2001) argued that, the Copenhagen Declaration on Social Development which has been successfully implemented in developing and developed countries identified the number of factors that have prevented the goals of social development from being achieved. These include: chronic hunger, malnutrition, illicit drug trade, organised crime, xenophobia and corruption.

Traditional models of development were mainly aimed at addressing issues of development based on issues relating to capital accumulation in the process of economic growth. However, the issues pertaining to human rights violations were not considered. Cassese (2001) argued that as compared to other approaches to development the Social Development Approach is mainly aimed at addressing issues that hinder human development. Some of the issues are the violation of people to express their own opinions in as far as social development is concerned. For instance, in countries such as Kenya issues relating to political deprivation have hindered development. In some developing countries, political rights have not been considered in as far as development is concerned. The United Nations Charter of 1945 recognised civil, political, economic, social and cultural rights within a single document with more elaborate description of civil and political rights than others. However, it can be argued that in relation to human development, political participation is often challenged by issues relating to corrupt political leaders, deprivation of the rural populace in political decision making and structural inequalities that exist in societies.

Traditional theories of development only focus on the issues of urbanisation and industrialisation as major facets of development which contributed to development without necessarily considering issues relating to the improvement of people’s quality of life so as to achieve socio-economic development. The Social Development approach is mainly aimed at providing basic human rights and its foundation is based on offering humanitarian response to people so as to achieve socio-economic development. The expression ‘human rights’ denotes that all those rights which are inherent and essential for human welfare in terms of providing basic services such as proper housing and sanitation are catered for. For instance, the reconstruction of high-density areas in Zimbabwe which occurred in 2005 termed Operation *Murambatsvina* fostered social development and addressed issues relating to human rights violation as people were provided with proper housing facilities. Irvire (2004) argued that humanitarian emergencies often require an urgent response, but this argument becomes yet another excuse to avoid pressure even when human rights abuses are the cause of humanitarian crisis.

Social Development Approach is mainly aimed at considering a people-centred approach to development by considering the issues of empowerment, creating livelihood strategies and providing basic services to individuals in need. For instance, in developing countries such as Zimbabwe, Harmonised Cash Transfers (HCT) have been an effective programme in addressing issues related to poverty and income deprivation, poor families living below the poverty line have been benefiting up to $25 per month as a means to raise their families’ consumption levels above the food poverty line and to help the target population to avoid resorting to risky coping strategies such as child labour and early marriages. Fitzgerald (2000) opine that as compared to the Harold Domar model of development, the Social Development Approach is multi-dimensional and holistic in nature as it attempts to address the macro level of intervention in addressing development issues. The social development approach places its major focus on the individual needs at macro level.

The social development approach, in contrast against traditional models of development, considers issues relating to cultural rights as crucial in development. For instance, in relation to cultural values and norms, the African Charter recognises the crucial nature of African indigenous systems as being important part of social development by considering issues relating to collectivism and cultural norms to social development. The consideration of cultural values in social development contributes to human rights promotion as it encompasses issues relating to the recognition of traditions in promoting the social wellbeing of individuals as compared to traditional approaches to development which neglected the issues relating to cultural values in relation to development. Midgely (2013) argued that some developed countries often pursue their capitalistic ideas ignoring issues related to cultural practices as major aspects that can foster or hinder development.

The traditional models violate human rights by forcing countries to abandon culture at the expense of development. According to Brown (2013), the modernisation theory emphasises more on the division of labour as the main reflection of economic development. The traditional models violate human rights of developing nations’ cultures, by imitating pathways followed by developed countries despite environmental and cultural differences. However, social development approach makes an effort to encompass cultural diversity as part of human rights to development (Ruohomaki, 2005). The loss of local and traditional knowledge has implications for sustainable social development. Culture strongly influences national economic performance, political cohesion at local and national levels, and creates the preservation of knowledge for development. Therefore, through the social development approach the respect of cultural diversity as a human right at global level is essential.

The Social development approach looks at cultural diversities to human rights at global level (Hayami and Godo, 2005). People have the right to express different cultural values and practices in relation to human rights. Social development as the human rights approach looks at person’s welfare in terms of education and health of each individual (Baines& Midgley, 2007). All people have the opportunity to enjoy long and healthy lives. Avoidable deaths, diseases and injuries are prevented. People have the ability to function, participate and live independently. When every person receives education on some health issues, they are likely to find solutions that can help them prevent or cure a certain disease that can cause their premature death. For instance, consider the pandemic, corona virus. The Human rights model states that everyone has the right to life, hence, different countries are working to fight the pandemic for social development of people in their countries.

Social development also promotes human rights in the sense that it concerns itself with making rights accessible to all. As (Donnelly, 1985) observes, 'a new vision of social development, therefore, has to be rooted in making certain rights accessible to every individual on this planet regardless of who they are or where they are.' Social development therefore takes a global perspective in ensuring rights to people. Social development also calls for the active participation or intervention of government unlike others where the government takes a passive role, expecting communities to determine and implement the changes they need to see at local level without any reference (Szirmai, 2015).

### Appropriate Roles of Social Workers

Social work professional organisations support these human rights declarations, and social workers strive to protect these rights among vulnerable and oppressed populations. Anti-oppressive social work practice incorporates radical social change efforts directly into social work practice (Baines, 2006). Social work practice addresses structural inequalities across the globe that affect populations. Economic vulnerability puts individuals at a great risk of slavery than racial or ethnic differences (Bales, 2007). Human rights, indeed, represent a powerful discourse that seeks to overcome divisiveness and sectarianism and unite people of different cultural and religious traditions in a single movement asserting human values and the universality of humanity, at a time when such values are seen to be under threat from the forces of economic globalisation (World Bank, 2000). The idea of human rights, by its very appeal to universally applicable ideas of the values of humanity, seems to resonate across cultures and traditions and represents an important rallying cry for those seeking to bring about a more just, peaceful and sustainable world.

The principles of social development are related to social work in the sense that what they seek to achieve with social development is also what social work seeks to achieve, namely the concern with improving human well-being. Both social development and social work recognise the need to make human rights accessible to all in the interest of equity and social justice. Thus, they both seek to empower the people.

The value base of social development and social work is informed by the belief in the worth and dignity of the human being. Consequently, they consider all human beings as equal who should therefore be given equal opportunities for realising their potential. Furthermore, social development and human rights seeks to ensure that individuals have access to resources necessary for meeting basic needs and in conditions that do not undermine their self-esteem. The pursuit of social justice and egalitarian ideals is at the core of the social development model.

The shift to developmental social welfare entails adopting the social development approach whose ultimate goal is to improve the quality of life for all, largely through macro-level interventions. This also calls for social workers to adopt roles that focus on prevention and enhancing human capabilities. It is responsibility of social workers to simultaneously aim towards both structural changes and direct intervention with individuals and communities. Social workers must reposition for developmental social welfare and must take on preventive and developmental functions at the core of their interventions. It also entails advocating for the state to effect structural changes in society (Kaseke, 2017). On this premise, this part of the paper will focus on the appropriate roles of social workers in developmental social welfare.

Social workers help residents to take collective action to generate solutions to common problems allowing residents to address the socio-economic barriers that often lead to poverty, crime, poor health, low property value among others. Developmental social workers use facilitative group work models. The roots of group work are in social reform, democratic participation, social action, mutual aid, and concern with vulnerable and oppressed populations (Birnbaum and Auerbach, 1994:333). All community development interventions take place through the medium of groups of various sizes with differing purposes and participation is central to all developmental social work approaches. Whether the approach is through management, through community development or through group work, people must be directly and actively involved in designing and implementing programmes. Facilitative group work makes social workers participants in group processes where their main goal is to pass on their knowledge and skills so that people are empowered through their practice (Rooth, in Gray, 1998a).

In line with the above, Lombard &Warier (2008) have also noted that social workers would need to use community work as the dominant method of intervention. Gray (1998) affirms this by suggesting that there is need for community-oriented practitioners to spearhead developmental social welfare, especially in poverty eradication. However, an integrated approach will be required in addressing the multidimensional needs of communities. Social workers should therefore be at the forefront of pushing for structural changes in society.

Social workers also work as caseworkers so as to build the resilience of individuals within a community to tackle the problems at hand, thus empowering the individual community members to take on a larger role in the development and continued improvement of their community.

In addition, social workers also undertake research by researching the root causes of a community’s challenges. This body of knowledge is then used to develop programmes as well as advocating for necessary policy changes. Consistent with the strength perspective and assets-based approach to community development, participatory action research places a high value on the knowledge and experience of people, particularly those people whose knowledge and experience has been suppressed or dominated by others (Karger, 1983). Social work interventions must be informed by research and must be results based.

Advocacy work should be undertaken by the social worker community. Challenges are sometimes structural and they need to be addressed at that level. Thus, social workers can play a role in dealing with harmful cultural practices in a community. Social workers focus on the protection of people’s civil and political rights by using advocacy models, among other things that social workers always ‘have the goal of securing or retaining social justice as the primary motivation for their advocacy (Lombard, 2008). Social workers’ responsibility and role with regard to removing the social, political, economic and cultural structural determinants of poverty and inequalities should be demonstrated in their strategies, actions and achievements in addressing injustices, marginalisation and social exclusion. It includes speaking out on injustice, advocating for human and socio-economic rights, and ensuring that the voices of the marginalised and poor are heard and respected. Social workers should challenge the structural sources of poverty, inequality, oppression, discrimination and exclusion, irrespective of the intervention level – individuals, groups, communities or organisations. Causes of poverty are structural and social workers should practise with an ‘eye to the structural (social, political, economic and cultural) determinants of inequalities’ (Lombard, 2008).

Social workers’ role is to work towards institutional capacity of NGOs and social developments agencies; and the government’s duty is to plan, implement, monitor and evaluate service delivery outcomes. In direct practice, social workers are in contact with people who are poor and vulnerable. Social workers then focus on the right to adequate income, income security and standard of living; the right to adequate shelter and housing; the right to an adequate standard of health care; the right to education and the right to meaningful work through collaborative work with NGOs. With regard to organisations, the focus is on management roles and organisational development by helping organisations to provide more effective social services (Lombard, 2008).

Another critical level of social work intervention revolves around getting commitment from government in respect of the public expenditure in a context of declining resources and a lack of infrastructure for welfare structure. Social workers should therefore be politically active in finding ways to effect policy change so that adequate levels of social provision can be made to people who need it (Ife, 2012). The investment of resources for social development requires brokering combined with wider advocacy for social justice especially when community members face entrenched inequalities in resources and power or when they are exploited or discriminated against. Policy analysis, advocacy and research are crucial social work roles.

Developmental social workers focus on poverty alleviation and work towards social inclusion, bringing marginalised groups into society’s mainstream. Developmental social work is a type of social work that affirms the profession’s commitment to poverty alleviation and social inclusion, recognises the link between social and economic development, and construes welfare as an investment in human capital rather than a drain on limited resources. It is a type of social work which diverges from the residual, service-oriented approach directed at special categories of people in need to strengths-based, respectful people-centred approaches, such as those outlined above, which place people in local communities at the centre of development. In a sense, developmental social work shares ecosystems thinking about holistic interventions at different levels of activity, individual, family, group, community, policy, local, and global.

The political nature of social work derives from the activities in which social workers engage to remove social injustice (Gray, Collett van Rooyen, Rennie and Gaha, 2002). Understanding how social workers can and do participate in politics is pivotal to the pursuit of human rights and social justice. Underlying the political activities of social workers is their motivation to right some wrong, to improve some policy, or to change some practice. One important dimension of social workers’ political activity is usually referred to as the ‘policy dimension’ of social work practice where social workers implement, analyse, comment on, influence, and generally work towards making policies just and meaningful. Policy is usually the vehicle through which clients are given access to services and resources, as well as protection from harm. Thus, social workers’ pursuit of social justice, by its very nature, gives their work a political dimension. Social workers engage in political activities as lobbyists, campaigners, advocates, voters, persuaders, collaborators, communicators, activists, witnesses, and individualists (Domanski, 1998). Thus, one way in which social workers engage in social development is through their political activities aimed at securing social justice and human rights for their clients and communities.

Consultation is a facilitative, empowering process which is consistent with social work’s changing role in society and its professional image and status (Stevens, in Gray, 1998a). Many social workers work in organisations where they are ideally placed to consult with people at all levels to further the aims of developmental social work whether this consultation be at an international, national, regional, or local level. The fundamental difference to these extreme levels of consultation spectrum is that at the international level, the social worker needs to operate as an expert while at the local level, the social worker needs to pay full attention to the experience and knowledge of participants who best know their own capacities and strengths. Developmental social workers do casework while social development forces social workers to use integrated practice methods and therein lies its greatest value (Sturgeon, in Gray, 1998a). For developmental social work to flourish, it requires a harmonious social and political environment which provides institutional support through its social policies and development programmes. Developmental social work differs in its focus and application rather than in its theory or methodology and social work’s philosophy is entirely consistent with that of social development (Gray, 1998). Thus, casework remains important. Work on the individual and family level occurs alongside group and community development interventions, organisational development and policy change. In this sense, development social work is a variant of the ecosystem’s perspective where community development rather than casework predominates.

Partnerships imply mutuality, exchange, sharing, and dialogue as the means through which people learn from one another how best to tackle local challenges. Social workers have the skills necessary for partnership building and engaging and networking with people at all levels. They are familiar with the relationship between the government and non-government sectors in social service provision and recognise the key role of the community, especially in community development. Partnerships provide space for creative practice (Ife, 2001). Like assets-based community development, partnership building is a strengths-based approach which involves identifying, locating and building on the assets, strengths, capacities, and skills already existing in a given situation. Partnerships imply mutuality, exchange, sharing, and dialogue as the means through which people learn from one another how best to tackle local challenges. Social workers have the skills necessary for partnership building and engaging and networking with people at all levels. They are familiar with the relationship between the government and non-government sectors in social service provision and recognise the key role of the community, especially in community development. However, the trimming of government services, economic rationalism or the shrinking welfare state has led to increased interest in the role of business or the corporate and economic sectors as partners with government and community in social development. Termed the social economy or ‘Third Way’ (Giddens, 2000), there is recognition that social service provision and community development rest largely on the development of partnerships between these key sectors. As stated by Ife (2001), before wide-scale, sustainable social development can be achieved, there is a need to strengthen the civil service, to build civil society and to engage the private business sector in a tripartite socio-economic development partnership.

Monitoring and evaluation is another important role of social workers where there has to be agreed indicators so as to measure and track changes over time. This monitoring also enables for concrete work to be made to assist in the whole developmental thrust. There is need to create platforms from where social workers can engage in planning, monitoring and evaluation processes impacting on social development. To have their voice heard, it is critical that social workers negotiate for representation on national and regional structures (Lombard and Warier 2008).

Developmental social work curriculum needs to focus on the strengths perspective and within it, assets-based community development, social entrepreneurship, partnership development, participatory action research, and an inductive approach to policy practice. It also needs to provide a sound overview of policy shifts giving rise to changes within welfare that are forcing social workers to re-evaluate their practice. Incisive critical debate is needed as to social work’s emancipatory values and whether or not they match its practice. Kaseke (2017) shares the same sentiments, by affirming that inappropriate training of social service professionals is one of the factors undermining the successful implementation of social development. There is need for ongoing dialogue between social work practitioners and academics in order for social work institutions to respond to gaps in knowledge and skills effectively. It is therefore critical for social workers to demonstrate that they have the competence to deliver developmental social welfare services.

For social workers to be able to partake effectively in developmental social welfare, their initiatives should be supported by a political mandate and directed by a specific social welfare policy embedded in a developmental approach. This political mandate must be drawn from broad national policies and legislation as well as specific legislation regulating the profession. The impact of the social work profession on social development should be visible to policy makers.

### Conclusion

This paper examined the traditional models of development by exposing their lack of attention to human rights and inadvertently contributing to human rights violations. These traditional models undermine human rights such as gender equality, right to education, shelter and others in the development process. On the other hand, social development model tries to address the promotion of human rights at global level thereby supporting observing of human rights in the development process.

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# Issues of Peace and Security in Contemporary Nigeria

## Busuyi Víctor OLUWASANMI, Ayodele. C. OLUWASANMI & Sunday Kayode OJO,

### Abstract

*The issue of insecurity in contemporary Nigeria has become a threat to both internal and international peace and security with ever-growing violence and attacks on security forces, civilians, churches, media houses as well as international bodies such as the United Nations. Consequently, we examine the complex issues that have affected the peace and security of contemporary Nigeria. This is done with the aim of finding solutions that can lead to success in fending off insurgency in contemporary Nigeria. Data used for this study was sourced from peace and security bulletin, books, newspapers and related journal articles on security issues. Using ordinary historical analysis, the result shows that the apparatus of peace and security earlier employed by the Nigerian state is inadequate. The findings of this paper identified the individuals as the centrepiece from where the household, community, the local government area, the state and the federation evolve and revolve as peace and security circles of different radii. It posited that peace and security concerns are in circles and actors within each circle are better attuned to concentrate and manage the peace and security challenge therein. This paper thus suggests the need for decentralization of the police and other state-owned agencies of internal security management in order to mitigate the upsurge in crime and violence including those emanating from armed robbers, political assassins, ransom kidnappers, oil thieves, and Islamic insurgents among others.*

**Keywords:** Peace, Security, Nigeria, Violence, and Centralized policing

### Introduction

Contemporary global events have, no doubt, drawn attention quite clearly, to the fact that peace and security of life and property are very essential. The evidence, including in Africa, has shown beyond doubt, that peace and security of life and property are better accomplished where there is democratic rule and good governance. Democracy and good governance ensure that peace and security become more inclusive and promote the rights, prosperity and welfare of all citizens of nations. (Ake, 1999; Meredith, 2006; Young, 2012; Mou, 2016, 2017). The position taken here therefore, is that no peace and security will be possible in contemporary Nigeria, without reasonable social, political and economic justice for all the citizens and social cleavages in the nation (Nnoli, 1978, Parkin, 1971, 1979 and Mou, 2015).

Since the Peace of the Westphalia in 1684, the modern state had been generally presented as a people organised for law and development in a given territory. The elements of the people, law and order, territory and development are encapsulated in sovereignty to operate. However, the state is not an end in itself because it serves some utilitarian purposes, especially by ensuring a secured people for development. Imobighe (2003) adduced that a secured state is one that is reasonably free from, or not exposed to external aggression and internal sabotage (Patrick, 2011).

In recent years, the Nigerian state has been under severe insecurity which has substantially undermined law and order as well as the protection of lives and property. In fact, since the transition to civil rule in 1999 violent insecurity has surged with different perpetrators such as militants, kidnappers, cultists, pirates and terrorists. In the Niger Delta in the South-south geo-political zone, grievance over injustice in oil wealth distribution and environmental degradation had led to militancy in much of the 1990s and 2000s (Pegg and Zabbey, 2013). Beyond the oil-producing Niger Delta, the North-central zone has been turbulent owing to incessant conflicts between ‘indigenes’ and ‘settlers,’ farmers and herders, as well as Christians and Muslims (Aghedo and Osumah, 2014). The Boko Haram terrorism represents the greatest threat to lives, investments and even the existence of the Nigerian state in recent years. The extremist group which is domiciled in the North-eastern zone rebels against the state in the hope of creating a theocracy based on Sharialaw (Aghedo, 2014).

The dynamics and impact of these varying forms of insecurity especially those emanating from non-state actors have attracted enormous attention of scholars and policy-makers alike (Agbiboa, 2013; Wiwa, 2009). However, the role played by the state’s security architecture has not been adequately examined. The nature and configuration of the peace and security agencies have not only been a source of insecurity as shown by the several cases of arbitrary arrests, human rights violation and extra-judicial murders but they also contribute to the inability of the state to effectively mitigate pervasive insecurity in the world’s most populous Black nation. This paper therefore attempts to fill the aforementioned gap by critically examining the issues of peace and security in contemporary Nigeria and why violence is ubiquitous in the country.

### Conceptual Framework

The concept of peace is defined differently by different scholars and policy makers. There is no universal definition of peace accepted by all. However, peace has been defined by most analysts, as the absence of war, fear, conflict, anxiety, suffering and violence (Francis, 2006; Igbuzor, 2011). But as Igbuzor (2011) notes correctly, this conception of peace has been criticised by many scholars, such as Ibeanu (2006); Reychler (2006); Wiberg (2006) and Bajpay (2003), for being inadequate for understanding the meaning and nature of peace. To overcome these limitations in the prevailing definitions of peace, the Norwegian peace theorist, who is certainly one of the leading experts on the issue of peace, Galtung (2006), has distinguished three types of violence that can help in understanding the concept of peace.

First, he considers the issues of direct violence. Direct violence is manifested by physical, emotional and psychological violence. Second, Galtung talks of structural violence. Structural violence, he says, comes in the form of deliberate policies and structures that cause human suffering, death and harm. Finally, he talks of cultural violence. Cultural violence involves cultural norms and practices that create discrimination, injustice and human suffering.

In addition, Galtung outlines two dimensions of peace: The first is what he calls “negative peace” – Negative peace, according to him, is the absence of direct violence, war, fear and conflict at individual, national, regional and international levels. The second “positive peace” - Positive peace depicts the absence of unjust structures, unequal relationships, justice and inner peace at individual levels. The obvious implications of Galtung’s findings and conclusions are that any useful conceptualisation of peace must go beyond the narrow focus on the absence of war, fear, anxiety, suffering and violence. Ibeanu (2006), has also attempted to offer a comprehensive and holistic conception of peace.

Ibeanu explains that Politically peace entails political order. That requires the institutionalisation of political structures in a way that makes justice possible. Thus, he argues that it would be wrong to classify a country experiencing pervasive structural violence as peaceful. In his books, Chris A. Garuba argues in that even though war may not be going on in a country, if there are pervasive poverty, oppression of the poor by the rich, police brutality, intimidation of ordinary citizens by those in power, oppression of women or monopolisation of resources and power by some social cleavages in the society or nation, it would still be wrong to say that there is peace in such a country or society (Garuba, 1999a, 1999b).

The concept of insecurity will be best understood by first presenting the concept of security. In the view of Akin (2008) security refers to “the situation that exists as a result of the establishment of measures for the protection of persons, information and property against hostile persons, influences and actions” - It is the existence of conditions within which people in a society can go about their normal daily activities without any threats to their lives or properties. The definition of security, just like the one of peace, is equally contentious. Security has been defined by Igbuzor (2001), “as the condition or feeling of safety from harm or danger, the defence, protection and preservation of core values and the absence of threats to those values”. However, within the context of peace and security, the concept of security, that is usually applied and therefore, more relevant for consideration here, is the concept of “national security.” This makes the state or government the key actor or stakeholder in the process of seeking actively for the peace and security of the country.

A traditional definition of the state often attributed to Max Weber, as Mou (2015, 2017) points out, requires as a necessary condition, the effective monopoly of the use of violence within a given territory. The security of the state was, therefore, threatened by any change that might threaten that monopoly of violence, whether it was through external invasion or internal rebellion. National security was, therefore, viewed purely from the military perspective. Consequently, national security was narrowly understood and insufficiently conceptualised.

 These are military centred definitions of national security. It can be seen that the above strategic definitions of national security are largely concerned with the protection of a nation-state from external aggression only. This overwhelmingly military approach to national security is based on the erroneous assumption that the principal threat to a nation’s security comes from other nations. Little attention is paid to the fact that the greatest threat to the security of a nation could be internal, particularly when one is considering a transitional or developing society. It is such internal threats that make states susceptible to external attacks (Mou, 2016, 2017). Yarnor, a Russian military scholar, was thus right when he stated that “the ability of a nation to survive in conflict or even to win a war hinges not only on its military capabilities, but also on economic potential for war and the level of social mobilisation. Over-emphasising one of these elements of national security while disregarding the others may be natural in the course of a brief crisis, but it could be disastrous in the long term” (Yarnor, 1985). For the public to be mobilised to defend the nation, they must also be allowed to have access to the public interest at stake. There is no doubt that the greatest threat to a country’s security could be internal. Internal threats make easier the susceptibility of a country to external attacks.

###  Challenges of Nigeria’s National Security

The statutory responsibility of national security in Nigeria is vested in the President (the executive arm of government) through all such security agencies established by law. As noted by Fayemi and Olonisakin (2008:245), Nigeria’s security sector comprises the following:

1. The armed forces (army, air force and navy of approximately 77,000 personnel);
2. The Nigerian police service (of about 360,000 men and women);
3. Paramilitary bodies including the customs services, the immigration service, intelligence services –including military intelligence and the state security services;
4. Judicial and state service bodies – judiciary, justice ministry, correctional service (prison);
5. Private security outfits;
6. Militia groups –including, for example the Odua People’s Congress, Bakassi Boys, Hizba Corps;
7. Community vigilante groups.

Constitutionally, the armed forces, police and prisons are answerable to the federal government because they are under the exclusive and legislative list. For example, despite the existence of police commands in the 36 states of the federation as well as the Federal Capital Territory (FCT) Abuja, the central decision-making authority over the police rests with the Inspector General of police who is answerable directly to the President (Fayemi and Olonisakin, 2008). The non-formal security organisations also respond to the security needs of communities.

Some measures taken to ensure national security include using diplomacy to rally allies and isolate threats; marshalling economic power to facilitate or compel co-operation; maintaining effective armed forces; implementing civil defence and emergency preparedness (including anti-terrorism legislation); ensuring the resilience and redundancy of critical infrastructure; using intelligence services to detect and defeat or avoid threats and espionage; and protecting classified information and using counter-intelligence services or secret police to protect the nation from internal threats (Bachmann, 2014; Osumah and Aghedo, 2010; Okeke, 2004). The national security apparatus, however, operates at two levels - the external and internal security. Ordinarily securing the state from external threats is principally the responsibility of the Nigeria Armed Forces, while the internal security responsibilities are vested mainly in the Nigeria Police and her offshoot services.

It is possible to identify two distinctive approaches as far as the management of national security is concerned namely, the military and related coercive response; and the progressive (Ekoko and Vogt, 1990; Imobighe, 1990). These two methods are equivalents and are variously described as operational and strategic, responsive and preventive, reactive and proactive respectively (Bassey, 2004; Nweke, 2002; Safir, 2003). However, Green (2006) adduced an intelligent combination of both for optimum achievement. This may constitute a third and perhaps better doctrine.

With regard to the military approach to national security, Ochoche (1998) holds that national security focuses on the amassment of military armaments, personnel and expenditure. The military approach to security is often justified on the basis that only a strong military force can deter attacks and provide the means of fighting undeterred attacks. However, it should be noted here that in the case of Nigeria, the vast size of the military has not resulted in a corresponding increase in the maintenance of its traditional functions, which Heywood (1997) rightly identifies as the maintenance of security and territorial integrity of the state and society; the maintenance of domestic and civil order; and the provision of humanitarian services. Contrary to popular and reasonable expectations, the military in Nigeria has been used for largely negative purposes including the oppression, terrorisation and repression of the citizens. Indeed, the military has been used to curtail the activities of unions, opposition groups and popular demonstrations and movements, making it more an instrument of censorship. This trend has been particularly prevalent under military regimes.

 Therefore, Heywood (1997) concludes that rather than be the solution to Nigeria’s national security, development and national integration problems, the military has compounded and perpetuated them. The failure of the military to fulfil its constitutional role has made the military to be distracted and has failed to distinguish itself in the political realm of life into which it has intruded (Ochoche, 1998). No doubt, national security delivery by the police and military has been confronted by different challenges for both the society and these principal security agencies themselves. For example, many security agents have been convicted of aiding and abetting such criminalities as oil theft, armed robbery, kidnapping, and even terrorism (Marenin, 1987; Osumah and Aghedo, 2010; Hills, 2012). Security in essence, has become a mirage and a culture of insecurity has evolved over the years. This has largely eroded professionalism in the agencies leading to elite privatisation. Security has become commoditised, commercialised and made ordinarily inaccessible to the masses. This in itself has resulted in the bifurcation of society into those that have security and those that have not, with the implicit tension and crisis therein. For instance, the former Inspector General of Police, Mr. Ogbonna Onovo disclosed that there had been huge illegal deployments of Police personnel to private individuals by some high-ranking officers of the Nigeria Police largely for pecuniary motives. Similarly, former Rivers State Governor Peter Odili was alleged to have used members of Special Anti-Robbery Squad (SARS) as his personal electioneering thugs. At the same time, the security personnel harass, oppress, subdue, deprive and dominate the poor and vulnerable citizenry, while the ‘big men’ or ‘grand patrons’ are insulated from such treatments.

In our view, other crucial factors led to the failure of the military to uphold the principles of truth, justice, respect for human life and compassion towards other human beings in the society. The unprofessionalism of the security agencies has resulted in the infliction of pain upon the offender through coercion. This ‘organised hurt’ becomes very clear in capital offenses where society takes the lives of offenders convicted of murder, armed robbery or treason. This implies that society is doing the wrong it forbids its citizens, though upon stated rationalisation. The approach perceives crime as inevitable and the fight against it perpetual. This application of violence embodies inherent tendencies of replicating and escalating violence. As criminals notice and encounter fire power as a veritable factor in the success or otherwise of the nefarious operations against the restraints from the law enforcement agents, the criminals endeavour to criminally acquire weapons considered superior to those in charge for routine law enforcement duties. With such weaponry criminals are emboldened to even confront law enforcement officers in gun battles to enable them commit crime. This is the situation in Nigeria where the war against criminals has escalated with sophistication and usually with fatal collateral damage. Indeed, even though the country has 37 state police commands, 106 area commands, 925 police divisions, 2,190 police stations and over 360,000 personnel, the Nigeria police service remains incapable of providing security for Nigeria’s over 170 million populations.

In fact, the country’s police-citizens ratio of 1:1,000 is one of the lowest in the world and falls grossly below the United Nations stipulation of 1:400. Added to personnel shortage, the police institution grapples with the challenges of “inadequate accommodation and transportation, poor communication networks, poorly funded training institutions and insufficient criminal intelligence gathering capacity” (Fayemi and Olonisakin, 2008:252). These challenges confronting security personnel have bred pervasive corruption among them. For example, the Nigeria Police has a global “reputation for brutality, corruption and arbitrariness” (Fayemi and Olonisakin, 2008:258). This has led to entrenched militarism in social relations which undermines peaceful, amicable and consensual resolution of problems, thereby encouraging frequent recourse to arms and culture of violence. This scenario is already evident in Nigeria with the country’s sizeable importation of arms compared with other African states.

### Causes of Insecurity in Contemporary Nigeria

To tackle insecurity, a key starting point should be to understand the causes of insecurity as well as to investigate the sources of social disorder and instability. As Andrew and Kennedy (2003) pointed out, it is necessary to distinguish between different causes as each may require different remedy. There are several causes of insecurity in contemporary Nigeria.

#### Elite Manipulation of Ethnicity and Religious Differences

Ethnic and religious conflicts arise from mutual suspicion and distrust among various ethnic groups and among the major religions in the country. The different ethnic groups across Nigeria often allege neglect, oppression, domination, exploitation, victimisation, discrimination, marginalisation, nepotism and bigotry. This often brings about ethnic clashes and religious conflicts.

#### ‘Do or Die’ Politics

Politicians in Nigerian do not accommodate dialogue, negotiation and consensus. Consequently, political contests are marked by desperation, and violent struggle for political power among politicians. This brings about conflict and insecurity.

#### Widespread Systemic and Political Corruption

Corruption is responsible for governance failure in Nigeria; and insecurity in Nigeria is mainly a function of government’s failure. Corruption has created massive unemployment in the country, which has in turn worsened the insecurity situation in Nigeria. Mismanagement of resources has brought about massive poverty and lack which is also a factor in the insecurity challenge facing the country.

#### Struggle for Resources

The Niger-Delta crisis in Nigeria as well as the herdsmen-farmers conflicts is classic examples of violent resource struggle in Nigeria.

#### Pervasive Material Inequalities

A major factor that contributes to insecurity in Nigeria is the growing awareness of inequalities in life chances leading to violent reactions by a large number of people.

#### Unemployment and Poverty

Unemployment and consequent poverty among Nigerians, especially the youths are a major cause of insecurity and violent crimes in Nigeria. Youth’s unemployment has contributed to the rising cases of violent conflict in Nigeria. Without job creation, how does the government address poverty, and inequitable distribution of wealth among citizens?

#### Weak Security System

This is a major factor responsible for the level of insecurity in Nigeria, and this can be attributed to a number of factors which include inadequate funding of the police and other security agencies, lack of modern equipment, poor welfare of security personnel, and inadequate personnel.

#### Porous Borders

The porous frontiers of the country, where individual movements are largely untracked have contributed to the level of insecurity in Nigeria. As a result of the porous borders there is an unchecked inflow of Small Arms and Light Weapons into the country which has aided militancy and criminality in Nigeria. The porous nature of our borders has aided the uncontrollable influx of migrants, mainly young men, from neighbouring countries such as Republic of Niger, Chad and Republic of Benin who are responsible for some of the criminal acts.

#### Terrorism

One of the most fundamental sources of insecurity in Nigeria today is terrorism. In Nigeria, terrorism is traceable to religious fanaticism particularly in Islam dominated states of Nigeria. Terrorism in Nigeria started with the notorious Islamic sect in the Northern part of Nigeria called Mataisine during Shagari’s civilian regime which was aborted by a military coup in December 1983 led by General Muhammadu Buhari. In recent times terrorism has assumed a political undertone and is been spearheaded by a faceless Islamic insurgent based in the Northern region of Nigeria called Boko Haram. Although terrorism has its root in Islamic fanaticism, it is now driven by factors such as inequality, poverty, unemployment, and illiteracy (Oluwasanmi, Afolabi, Nuhu, 2016).

### Analyses of Security Approach and Models

This approach consists of a combination of two models, namely: the two-way approach model, and the composite approach model. The two-way approach model aims at combating the creators and perpetuators of situations of insecurity, and simultaneously addressing and removing the causes or sources of dissatisfaction or discontentment which cause security breaches. The composite approach model aims at involving all stakeholders, both in public and private capacity - government, communities, business organisations, civil society, religious groups and individuals – to supply resources, expertise and information that are required to ensure a safe environment.

### The Two-Way Approach Model

This model is in two parts. The first part aims at removing the factors which cause people to engage in acts of insecurity, and the other part targets combating the perpetuators of insecurity. The first considers and entrenches all of the solutions methods to insecurity in contemporary Nigeria. The second part is to combat the criminals both with the long arm of the law and the force of arms. This is meant to stop or prevent criminals from creating and perpetuating insecurity. It involves being prepared at all times and being proactive, and pursuing them wherever they are. The objective is to protect innocent citizens from harm. A major strategy in this regard is to identify and map out black spots on physical insecurity. This requires vigilance on our environment on the part of security agencies, particularly with terrorist attacks of the Boko Haram

It refers to black spots as such locations and areas where the sect can take advantage of political and economic vulnerabilities to safeguard their operations and attract recruits. They include those areas which are politically volatile, and with a large mass of uneducated and abjectly poor population that can easily be recruited as terrorist operatives; areas in which people have high level of attachment to opinion leaders, and the leaders-followers ties are very strong; towns and states on border lines with other countries, and which have cultural and language links with other societies outside the country, which allow for a network of transnational criminals and terrorists. Such black spots facilitate smuggling of illicit weapons and personnel through the borders without being detected. Black spots help terrorists and criminals in their insecurity flows, that is, movements of assets, people, services or strategic/sensitive know-how. Security agencies, therefore, should develop and adopt a scientific means to detect, map, and analyse such black spots in the country, and firmly understand their modus operandi in exporting insecurity into Nigeria. Being able to scan, pinpoint and monitor black spots on a continuous basis offers the possibility of tracking the movement of criminals and terrorists, their financial assets and illegal weapons, and their skills and expertise. Such a capability is critical to intelligence gathering and necessary precondition for threat interception and the prevention of the escalation of insecurity.

### The Composite Approach Model

This model contrasts with the traditional assumption that national security is solely the responsibility of government. While we agree with the view that security of lives and property is a primary responsibility of government (Ogbeche, 2012), we hold the view however, that the insecurity challenge in Nigeria is too enormous to be left for government alone. There is need for other stakeholders to be actively involved in ameliorating insecurity in the country.

The security organization model points out all the stakeholders needed to fight against insecurity in order to achieve enduring security in the country. When these stakeholders collaborate to tackle the insecurity challenge in Nigeria, the business environment will be safe for business investment and operation. As it is known, factors in the business environment enhance or hinder a firm’s ability to operate effectively and efficiently (Dionco-Adetayo and Adetayo, 2003). When the business environment is safe, the businesses will be sustained and sustainable development which is the desire of every nation will be sure. It is important to point out that insecurity is not a problem that is unique to Nigeria. The United States of America, the United Kingdom and many other countries, face the challenges of insecurity within their borders on a daily basis. The difference between them and our country is how they manage the threats, how knowledgeable and prepared they are, how they deploy resources against the threats, how effective they are, and how patriotic and united the people are against threats of insecurity.

For effective implementation to stop attacks, measures are put in place to ensure the accountability of the strategies and progress monitoring. The security, intelligence agencies and the police are adequately equipped to disrupt crime related activities. CONTEST (2011) stated that the police, security and intelligence agencies work tirelessly to keep Britain safe. They also recognised that, the growing use of inexpensive but sophisticated communications technology has made the planning of attacks easier and more secure and that it allows for instant communication between geographically disparate groups via email, web fora, and social networking sites or by using the internet to make voice calls. Therefore, steps have been taken to keep pace with technological changes by making the internet a more intimidating environment for criminals. They have tried to identify, investigate and disrupt criminal use of the internet; make it more difficult for them to exploit the internet for radicalisation and recruitment as well as counter-terrorist propaganda. They have also put in place enhanced communications and information sharing for criminal attacks. These are organized by coordinators, supported by Prevent Engagement Officers (PEOs) who connect the police, community police and neighbourhood police. They are instrumental in developing community contacts and an understanding of community issues. Their work helps to identify potential threats in the communities and generates prevention projects and information sharing with prevention partners to support strategic objectives. There is the challenge therefore to rethink and improve on the policies and institutional means of dealing with security concerns arising in the country. The roles of the stakeholders in the security organization model are discussed below:

#### The Role of the Government

To overcome insecurity there is need for intelligence gathering and surveillance so that law enforcement agents can be proactive and reasonably predict potential crime with near perfect accuracy rather than being reactive. As noted by Adagba, *et al* (2012) the menace of insecurity no doubt calls for a new approach that will be founded on credible intelligence gathering. Government must not only continue to engage the security personnel, it must, more than ever before, recognise the need to devote more attention to security intelligence, capacity building to meet the global best practices and acquisition of modern technology. Although, the Nigerian government has resolved to adopt the use of Computer-based Closed Circuit Television cameras in public places especially in Abuja to monitor and record events that take place in a particular location, Ogunleye, *et al,* (2011) have argued that for it to be effective, government must ensure that the scheme is well managed, the cameras should be recording, with good quality images, and any incident caught on camera should be followed up by the police or other appropriate authority. Computer-based Closed-Circuit Television cameras are cameras used to monitor and record images of what takes place in specific locations in real time. The images collected are sent to a monitor and recorded on video tape or as digital information. It is a surveillance technique that aims to prevent crime by increasing the perceived risks of potential offenders in engaging in criminal acts. There is also the need to modernise the security agencies with training, intelligence sharing, advanced technology, logistics, motivation and change of orientation.

#### The Role of Civil Society

Civil society is the arena outside of the family, the state, and the market where people associate to advance common interests. It is the aggregate of non-governmental organisations and institutions that manifest interests and will of citizens or individuals and organisations in a society which are independent of the government. As a result of the inability of government to provide adequate security, Ebohon, and Ifeadi, (2012) are of the opinion that Nigeria should move from a state-centric to a human security paradigm. This will involves moving from an elite centred to a people centred security organization approach and involve civil society in the state security project.

One of the roles of civil society is to convince other stakeholders that action is better than inaction and that insecurity does not have to be accepted as unavoidable. They have to play the roles of critic, catalyst and advocate of those interests. It is also essential to raise public awareness, to awaken society to the disastrous effects of insecurity and to get across the message that fighting it is possible.

#### The Role of Religious Groups

The two main religious groups in Nigeria have a major role to play in ensuring security in the country. The teachings of religious groups are one of the bases of value development in the contemporary world. The role of values in human security cannot be over emphasised. It is a known fact that values govern behaviour. Where social values and norms concerning fundamental human right in both public and private places have been distorted and violated, the people and government tend to live in an atmosphere of instability and insecurity (Clifford, 2009). If every religious group can tolerate the other, then religious crisis which has been a problem in this country will be abated. In addition, worship centres should not be used as avenue for instigating members to be violent or to engage in activities that can affect the peace of the country.

#### The Role of Communities

It is important to note that security management can be significantly aided by the cooperation of local communities. In relation to collective responsibilities towards lasting peace in contemporary Nigeria, communities should strive to live peacefully with other communities. They should also be vigilant of strangers in their localities to ensure that criminals do not have easy access to their communities.

#### The Role of Individuals

Security should be seen as everybody’s business. As individuals we need to cultivate the habit of being security-conscious and to report any security situation to the appropriate authority (not only the police) immediately. Every individual must evince a high level of security awareness and alertness. This is because individuals understand their communities better and any report of suspicious behaviour or activity could lead to actionable intelligence leading to disruption of attacks.

### Conclusion

It is therefore imperative to institutionalise a dominantly proactive national security strategy founded on human security. There is a strong scepticism that if the level of insecurity in our country is not scaled down, our vision to be among the best countries of the world may be aborted. The approach towards curbing this menace has been to respond when the crime has been committed and the harm has been done. This paper emphasizes a change in attitude and approach by being proactive. We must strive to get to a level were crimes will be nipped in the bud before they are perpetuated. Therefore, the government, civil society groups, business organization and individuals must fight insecurity so as to create an enabling environment where citizens will feel free and secured to achieve their full potentials and the country will itself be safe to achieve sustainable development.

 To this end, it is also recommended that there is the need for decentralisation of the police and other state-owned agencies of internal security organization in order to mitigate the upsurge in crime and violence including those emanating from armed robbers, political assassins, ransom kidnappers, oil thieves, and Islamic insurgents among others.

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# Rethinking Alternative Dispute Resolution Mechanisms in the Collective Bargaining Process in Nigeria

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### Abstract

*This paper focuses primarily on conflict management process by appraising negotiation, mediation and arbitration as practiced by the industrial sector or trade unions in Nigeria today. First, the paper appraised the practice of collective bargaining process in Nigeria and argues that there is undue focus on the use of arbitration for settling industrial disputes, despite its obvious shortcomings. Second, the paper identifies some important values of collective bargaining shared with mediation. These core values include voluntariness, neutrality/ impartiality, confidentiality, empowerment, mutual respect, democracy and interdependence. Thus, it is advocated that mediation, a more flexible process should be properly integrated and mainstreamed as a preferred tool of collective bargaining processes in trade disputes. The paper further suggests the adoption of hybrid processes such as Med-Arb or Arb-Med as the situation may dictate in the collective search for stability, peace and harmony in the workplace and the society at large. The data collected for this paper were derived mainly from secondary sources. Hence, the paper relied more on books, journals, monographs, conference/seminars papers and official documents of the Federal Government on National Employment Policy. Internet sources and other materials that are relevant to the theme of the paper were equally utilised. The collected data were subsequently reviewed thoroughly and content analysed.*

**Keywords:** Alternative dispute resolution, collective bargaining, industrial disputes

### Introduction

Negotiation, mediation and arbitration are informal processes that have been widely acknowledged as the most cost-effective, user-friendly and satisfactory conflict management mechanisms. They are often subsumed under the popular notion of Alternative Dispute Resolution (ADR), which covers a wider range of conflict management processes including facilitation, early neutral evaluation, executive tribunal, ombudsman, med-arb, adjudication, mini-trial, among others (Akeredolu, 2018). The concept of ADR was introduced as a sharp response to the obvious challenges posed by the conventional legal or court system, which is characterised by the adversarial approach to justice. This approach is known to limit the involvement of the direct parties in the decision-making process, prolonged time of deciding cases, high or prohibitive cost, threats to existing relationships of parties and obvious insensitivity to the overall interests and needs of the disputing parties (ICMC, 2002). Interestingly, ADR is applicable to both civil and criminal matters. This provision has the force of the law as recognised by Section 17 of Federal High Court Act (that is, Reconciliation in Civil and Criminal Act), which empowers the court to resort to any other means to pursue amicable settlement of disputes in both civil and criminal matters in order to promote reconciliation among concerned parties.

Alternative Dispute Resolution has permeated every facet of human activities including labour, maritime, law, commerce, telecommunication, construction, religion, security, academia and the banking sectors, just to mention a few. Hence, the industrial/labour sector (the primary focus of this paper) represents a sub-unit of professional associations that have benefitted tremendously from the services and values offered by ADR. These activities take place in the industrial sector through the instrumentality of collective bargaining at various levels of the interactions with governments, workers’ unions and management of corporate entities or employers of labour. The system of industrial relations has, over the years, produced hostile behavioural pattern that perpetually impair managements/employees’ relationships. The situation becomes even more complex when the government, the major player in the labour market, stands as the official regulator in the industry.

According to Aderogba (1998:73), “the government tried to introduce an Income Policy with the view to achieving proper equilibrium between prices and earnings. The government, therefore, plays a dual role as a big employer in addition to being the ruler.” This paper focuses primarily on conflict management process by appraising negotiation, mediation and arbitration as practiced in the sector today. First, the article appraises the practice of collective bargaining process in Nigeria and argues that there is undue focus on the use of arbitration for settling industrial disputes, despite its obvious shortcomings. Second, the paper identifies important values collective bargaining shared with mediation. Hence, it is advocated that mediation, a more flexible process should be properly integrated and mainstreamed as a preferred tool of collective bargaining processes in trade disputes in the collective search for stability, peace and harmony in the workplace and the society at large. The data collected for this paper were derived mainly from secondary sources. Hence, the paper relies more on books, journals, monographs, conference/seminars papers and official documents of the Federal Government on National Employment Policy. Internet sources and other materials that are relevant to the theme of the paper were utilised. The collected data were subsequently reviewed thoroughly and content analysed.

### Defining of Terms: Trade Disputes, Negotiation, Mediation, Arbitration and Collective Bargaining

#### Trade Disputes

These are issues arising between employers and workers or between workers and workers, which is connected with the employment or non-employment or terms of employment and physical condition of work. Thus, trade disputes are contentions over (a) employment and non-employment of an individual; (b) the terms of employment of a person; and (c) the physical condition of an individual (Umezulike, 1998). In this paper, trade disputes will be used interchangeably with industrial disputes and labour disputes.

#### Negotiation

This is a direct communication, trade-off or bargaining processes between two or more parties with the aim of reaching an agreement. It involves a back-and-forth communication strategy designed to reach a consensus in order to obtain what a party wants from another person. It usually takes place between two parties, although there may be room for more parties in a situation of multi-lateral negotiation. Negotiation is a spontaneous process that immediately precedes the outbreak of a conflict where the direct parties attempt to settle their differences without the assistance of a third party. It is considered as the cheapest and most preferred option of conflict resolution in the sense that it best protects the parties’ privacy and utilises the inner resources of the primary parties to achieve a mutual result. If the parties fail to reach an agreement, it may be necessary to seek the help of a third party, who has no direct benefit from the outcome of the process.

#### Mediation

Is a private and confidential conflict management process, where a neutral third party, referred to as the mediator, assists disputing parties to reach a negotiated agreement or an amicable settlement. A mediator is a go-between, a diplomat, a sage, an expert, a counsellor, a wise, an information gatherer, an effective listener, a communicator who helps the parties to track and unveil their interests and needs in order to attain a mutually satisfactory outcome. The mediator’s role involves persuading the parties to agree to mediate, providing a conducive environment for parties’ discussion, facilitating the flow of communication between them, focusing the parties on the main issues in the dispute and helping to draft a settlement agreement that is mutually acceptable to the parties. The mediator is, therefore, not a judge but one that adopts diplomatic gestures and persuasion as a strategy to make parties understand one another in a wide perspective. He does not impose the final decision on the parties but helps them to jointly decide the terms of the settlement agreement. The outcome of a mediation process is often described as a win-win because the final decision is jointly decided by the direct parties.

#### Arbitration

This is also a private third-party process of conflict resolution, where the arbitrator helps the parties clarify issues and pronounces the final decision on the parties’ case. Arbitration, as being practised in many parts of the globe, is an informal system of conflict management but it is to a very large extent less flexible than mediation. Even though it enjoys some procedural flexibility and the critical role the parties play in the appointment of the arbitrator, the arbitrator reserves the power to grant the award to the winning party. Unlike mediation, the outcome of an arbitration proceeding is a win-lose.

#### Collective Agreement

This refers to the negotiating process that often takes place between management and employee unions on the condition of service under which workers can perform their official duties. In this sense, joint problem-solving approaches become a unique attribute and a defining element of the system. By implication, all parties to the conflict are automatically brought into a forum or meeting to dialogue in order to chart a new course for the industry. Hence, American National Labour Relations (cited in Omole, 2002:60) described the process as:

...the performance of mutual obligations of the employer and the representative of the employee to meet at reasonable times and confer in good faith with respect to wages, hours and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party.

It basically involves the coming together of critical stakeholders in the industrial setting to jointly decide modalities or key policies that govern the sector. It must, however, be stressed that collective bargaining does not involve individual bargaining, unilateral decision-making by employers or unions and government regulation or any other issues that are not connected to wages or condition of service. It is a joint problem-solving tool employed by relevant actors for determining salaries, wages, responsibilities, duties, welfare of workers and other conditions of service leading to the collective agreement. Hence, Sonubi and Omole (1998) asserted that collective bargaining is one of the processes of rule-making or decision-making through the joint efforts of autonomous unions and management. The cornerstones of collective bargaining include voluntariness, democracy, independence and mutual respect.

### Understanding the Nature of Trade Disputes in Collective Bargaining in Nigeria

Conflicts are inherent in human nature and by extension human organisations are breeding ground for fierce conflicts. Wherever people are gathered in the pursuit of common goals, conflict is either imminent or it is bound to occur. In the industrial sector, disputes are natural and inevitable processes of human interactions. Various perspectives on conflict have been advanced to explain the common bickering and irreconcilable differences that are germane to the workplace, particularly between the major actors- the labour unions and their employers. This ‘cat and mouse’ relationship is premised on the fact that the workers will always demand high wages/salaries and better condition of service while their employers will always strive to maximise profits by cutting down or minimising their production cost. In this wise, workers’ wages and other conditions of service are usually the prime targets. As Ibiatan (2013:202) succinctly captured the scenario:

the widely held misconception that union-management interaction must be adversary and combative is anchored on the existence of dual interest groups (in organisations) with different goals and motivations. One group is represented by employers of labour or the management whose primary concern is profit maximisation or service delivery at any and all costs. The second group is made up of workers- their goal is to achieve improved welfare and better working condition.

The theoretical component of this argument is sufficiently captured in Marxian theory of historical materialism propounded after Karl Marx, the 18th Century’s German Sociologist. It analyses the constant struggle between the bourgeoisie (that is, the owners of the means of production) and the proletariats (the working class) under a capitalist system. For Karl Marx, conflicts are common features of capitalist societies because of the contradictions in the material interests of the working class and their minority ruling elite counterpart. He described the state or government as a super-structure and by-product of class irreconcilable antagonism, exhibiting the traits of coercion and exploitation of the working class (Kapur, 1981). In other words, instead of the state serving as a regulatory body, a neutral empire and an agent of distributive justice, it chooses to be an accomplice in the pauperisation and oppression of the working class.

According to Karl Marx, the dominant class will always strive to capture and control the instrument of the state machinery in order to further the exploitation of the hapless minority. In the words of Kapur (1981: 70), “Under capitalism, the state is in essence a committee of the bourgeoisie for the oppression and exploitation of the working class, the proletariat.” Some of Karl Marx’s postulations, especially his strong belief in the state breeding its seeds of destruction and its fizzling away appear unrealistic. The emergence of a classless society (socialist state) in Marx’s postulation can also be described as a wishful thinking considering scheme of things today. Yet, his deep analysis of the dialectics and complex class struggle among the forces of production is unbeatable and remains a major reference point in revamping the industrial sector today.

Also, Austin’s command theory of law further emphasizes that law is strictly a product of a command by the sovereign, enforced by a sanction (cited in Abiala, 2015). In other words, laws, including Trade Union Act are instruments of oppression of the working class. For instance, through Trade Union Act LFN (2004) under Section 7, workers are being conscripted and compulsorily (not voluntary) made to become members of trade unions. The direction of Austin’s legal theory emphasises three important principles: One, the law is issued by the unquestionable sovereign; Two, the command of the sovereign is total and has the power to impose sanctions, the sovereign must be habitually obeyed.

Like Marxian theory, the implication of this thesis is that the society is divided into two major parallel groups- the sovereign (comprising of rulers) and the subjects (consisting the ruled). This shows that the state’s control is total and absolute over its subjects. Ideally, the government should act and be seen as a neutral arbiter of distributive justice; regulating the conduct of the collective bargaining process and ensuring that the players adhere to the set parameters or the rules of the game. The arbitrary manner in which the state exercises its absolute powers shows its biases and its incapacity to function well as a credible and reliable umpire. Hence, Austin’s thesis is, again, a true reflection of the inherent contradictions in the Nigerian society. It is for this reason that a case is being made for mediation to play a deeper role in the collective bargaining processes in order to reposition the labour industry for enhance performance.

### Historical Perspectives of Trade Unions and Collective Bargaining in Nigeria

The foundation of collective bargaining as a mechanism for tackling labour-related disputes was established as far back as the colonial period. Two important events marked this period. First, Okpanachi (cited in Paul *et*. *al*: 2013) observed that collective bargaining began with the official registration of labour unions. Many trade unions were formed during the colonial period to advance the interest of workers. For instance, in August 19, 1912, the Southern Nigerian Civil Service Union was established by a coalition of government workers. This union later metamorphosed into the Nigerian Union of Civil Servants (NUCS) in 1914 shortly after the amalgamation of Southern and Northern Protectorates (Ananaba, 1969). By 1931, the Nigerian Railway Workers Union and Nigerian Union of Teachers were formed, setting the stage for a dynamic and vibrant industrial sector. However, these unions were not given official recognition or legalised until 1938, when the British government encouraged and granted the establishment of unions to the colonies (Paul *et*. *al*., 2013). These platforms later became the rallying point for aggregating members’ interest and seeking redress of their grievances.

The second event was the establishment of the Whitely Commission (named after its chairman, John Henry Whitely) which was instituted by the colonial government to produce a report on the relationships between employees and employers in 1917. The commission was later replaced by the National Public Negotiating Councils, charged with the responsibility of looking into the various complaints of workers and recommending appropriate wage standard and other conditions of service of workers to the government.

The height of this official interference from government quarters was the promulgation of the Trade Disputes Act of 1968, amended as Trade Disputes (Emergency Provisions-Amendment) Act of 1969. The laws outrightly banned strikes and lockouts and further directed that approval must be sought from government on matters relating to wage increases by employers of labour. The government set up the Udoji Commission in 1972 to recommend to it the appropriate wage policy and other conditions of service to workers.

The application of arbitration proceedings is a significant development in the management of disputes that often arise within the industrial sector. For instance, the first machinery for the settlement of trade dispute (Trade Dispute Arbitration and Enquiry Act No. 32) was introduced in 1914. It was a temporary arrangement that gave parties the absolute freedom to decide whether or not to utilise the window of redress provided by the law. Also, the Trade Disputes Act of 1968 and 1969 established the Industrial Arbitration Tribunal and was further modified in 1976 and amended in 1977 (that is, the Trade Dispute Act 1976 and Trade Dispute Essential Services Act, 1976) to encourage and sustain economic activities after the Nigerian Civil War (Ibietan, 2012). However, the decision of these Tribunals is still, to a large extent, subject to the approval of the Commissioner (now the Minister of Labour) for it to become binding.

### Collective Bargaining Through Negotiation, Mediation and Arbitration

Collective bargaining is a global practice. It thrives on informal procedures of conflict management in order to facilitate amicable settlement between or among contending parties. The current machinery (as contained in the Trade Disputes Decree No. 7 of 1976) for the settlement of trade disputes follows the phases itemised below:

1. Use of Mediators
2. Referral to Conciliators
3. Industrial Arbitration Panel
4. The National Industrial Court
5. Board of Enquiry

The provisions of the Act recognised the use of internal mechanisms acceptable to the parties to settle their disputes. If the parties are unable to reach an agreement through direct negotiation within seven (7) days, mediation is recommended for possible settlement (Umezulike, 1998). The use of mediation at this level remains purely an internal affair of the management and the union concerned. In other words, the parties supervise the appointment of the mediator and the modalities for the conduct of the mediation process. The Commissioner or the Minister of Labour does not have a direct role to intervene in the matter. But if a settlement is not reached after 14 days, the matter is required to be reported to the Minister, who may decide to appoint a conciliator to intervene in the matter. Although there seem to be merits in not allowing the Minister to directly intervene in the processes of mediation under this Act, it could also suggest that the procedure has not been conferred with a form of official legitimacy.

Upon the failure to resolve the matter through conciliation proceedings, the matter will be referred to the Industrial Arbitration Panel (IAP) by the Minister. The Panel has 42 days to dispense with this case, after which the Minister of Labour can grant a leave of extension. If the Arbitration Panel grants an award to a party, the award is still subject to the confirmation of the Minister before it can be communicated to the concerned party. The Minister may either remit the award to the Panel for reconsideration or confirm the award if he deems fit. In the event of the two parties having objections over the award, the Minister may further refer the matter to the National Industrial Court (NIC) for determination. The decision reached by NIC is final and binding on all parties. In all of these, the government plays a lead role at every stage of the process. Consequently, one major challenge that constantly besets the practice of collective bargaining from inception is the over-bearing nature of government in the process.

There are three major ways collective bargaining seems to have been hampered or compromised by the current practice of conflict resolution in the industry. The first is the wage fixing role of the government; the second is the excessive involvement of the government in the arbitration proceedings and the third is the tortuous process for seeking redress. This development made some scholars to conclude that the system of industrial relations in Nigeria remains largely undemocratic and unresponsive to the actual needs of the industry (Uvieghara, 2001; Fashoyin, 1999). According to Uvieghara (2001:389), “the phenomenon of the appointment, on almost a regular basis, of commissions to review and recommend wages and other conditions of employment of public servants is a clear manifestation of the absence of collective bargaining in the public sector.” Also stressing state’s intervention in wage fixing and dispute settlement, Okafor and Akinwale (2012:90) observed that:

Unfortunately, the Nigerian government at all levels remain undaunted in ensuring that the organised Labour is tamed and as such various aspects of the Nigerian Labour Law have been amended to suit the state’s interest. The amendments, largely occasioned by governments’ implementation of their adopted neo-liberal policies such as deregulation, commercialisation and privatisation, have affected the collective bargaining environments in Nigeria.

The practice became even brazen under military regimes. For instance, during General Ibrahim Babangida regime, a 45% increase in workers’ wages was unilaterally imposed by the military government (Ojo, 1989). For this, Fashoyin (1999) submitted that collective bargaining had always been under a serious threat as government routinely set up wage commission, comprising top government functionaries to review and recommend wages and other benefits accruing to public workers. He attributed the worrisome trend to the fact that collective bargaining started from the public sector, which is largely agrarian in nature and that the government has for a long time remained the largest employers of labour. This is a contradiction and a dangerous trend that needs to be properly interrogated.

The statutory arbitration proceedings that give so much influence to the government have also generated a lot of controversies and further incurred disenchantment from discerning observers. Girigiri (2002:16) for instance maintained that conflict resolution processes in the public sector ‘amounts to the curtailment of the collective bargaining because of the element of compulsion in them.’ In other words, the act of compulsion, rigidity and insensitivity that are inherent in the current practice is tantamount to the spirit of voluntariness of collective bargaining. Abiala (2015:158) further stressed that, “the operation and efficacy of functions revolved around the Honourable Minister of Labour, Employment and Productivity. For instance, apart from the voluntary mechanism of mediation which parties were free to employ to resolve their disputes, all other processes were subject to referrals of the Honourable Minister.”

From the above, it is clear that mediation has important values that can enhance the effective resolution of disputes in the industrial sector.

### Mediation as Facilitator of Collective Bargaining Process in Nigeria

There are several ways mediation can serve as the promoter or harbinger of collective bargaining processes in Nigeria. First, considering the long chain of Alternative Dispute Resolution procedures that this paper earlier referred to, mediation is undoubtedly distinct. This is because mediation exhibits important values that can promote collective bargaining strategies, particularly with regard to facilitating a speedy and effective settlement of trade disputes. These core values include voluntariness, neutrality/impartiality, confidentiality, empowerment, mutual respect, democracy and interdependence. It should, therefore, be emphasised that mediation has a lot of positive attributes that naturally conform with the core values of collective bargaining processes.

Secondly, there is every reason to suspect that the insertion of mediation clause into the Trade Dispute Act was done in bad faith and indeed, a deliberate attempt to make the process fail or ineffective. This is because the modality for the conduct of the mediation process was rather scanty or not detailed enough compared to the undue attention given to conciliation and arbitration proceedings. For instance, the provision was silent on the role of the mediator and what qualifies him to serve as the mediator. As a matter of fact, the Industrial Arbitration Panel and the National Industrial Court, which are the statutory bodies saddled with the resolution of industrial disputes in the country only offer ADR services that are restricted to just arbitration and conciliation. The position of this paper is not to outrightly discredit or call for the jettisoning of the existing framework but to canvass for main streaming mediation into the conflict resolution processes in a manner that gives transparency, confidence and equal opportunities for the participation of all parties. In other words, mediation has important values that could enhance the collective bargaining process unlike arbitration, which has continued to instigate and generate a lot of instability and tension within the sector.

Thirdly, arbitration and conciliation procedures as being practised currently do not support democratic governance. The excessive powers of the Minister of Labour and Productivity in deciding the outcome of the process suggest that the process is largely undemocratic. For instance, Girigiri (2002) clearly stated that the arbitration and conciliation procedure restrict the practice of collective bargaining due to what he described as the insertion of ‘elements of compulsion’ in the entire processes. For cases to be treated and heard at the various Industrial Courts, the Minister has to make a statutory referral and plays critical roles in deciding the outcome of such matters. Even at that, the Federal Government is usually a party to such trade disputes, especially when they have to do with fixing workers’ salaries and other remunerations or welfare packages. With respect to the enormous power bequeathed to the Minister, Akanji (2005:241) unequivocally warned that:

one can conclude that the phenomenon is related to power sharing between actors, to a large extent and that where power lies in favour of one to the advantage of the other, the use of power in such situation may be subjected to certain constraints. For instance, if the powerful party does not exercise restraint, the power may be used in a situation that the working relationship may disrupt the production of goods and services.

Apart from this, the situation further re-echoes the age-longed problem associated with strengthening institutions along democratic governance for optimal performance in Nigeria. Public institutions like the National Industrial Courts should be allowed to evolve and grow in a manner that confers on them a high level of independence and transparency. A joint-problem solving approach like mediation can provide such leverage.

The question may then arise; how appropriate is the application mediation to trade related disputes? Olagunju (2002:9) responded by providing the general situations that may encourage the use of mediation:

* Parties are in conflict-prone industry;
* Predisposition of the parties for settlement;
* Existence of an important relationship;
* Desire for confidential resolution;
* The desire for control of the dispute process;
* Likelihood of adversarial process leading to a loss of face for one of the parties;
* Emotions have run so high that a forum is needed to fully express feelings;
* Parties desire speedy resolution;
* Both sides have good case.

All these elements apply to the resolution of trade disputes. In fact, in asserting the superiority of mediation in tackling trade disputes, Abiala (2015:179) specifically submitted that, “From the list of Alternative Dispute Resolution processes such as arbitration (governed in Nigeria by the Arbitration and Conciliation Act and other international laws and conventions) judicial appraisal, adjudication, Ombudsman among others…mediation and conciliation are most potent in Trade Dispute Resolution.

One important area that mediation has proven to be effective is the quick or timely settlement of disputes. Rather than expending a minimum of 72 days (over 2 months) to secure an award from the NIC, mediation is a more flexible process that could delivers a speedy settlement within few days or weeks. David Mundel (cited in ICMC, 2002:33) believes that:

Mediation gives the parties a day in court in a way that litigation does not; giving them an opportunity to air their feelings and thus removing emotional blockages; leaving the way open to agreement between the parties. Before the mediation, people focus on the strengths and weaknesses of a case, but mediation helps to focus on a solution... mediation puts the parties back in control. We settle in one day’s mediation a case that had been in the court for two years, thus drastically reducing cost and management of time– yet without risk of compromising our position by agreeing to mediation.

To further deepen the framework, discussions are on-going on how hybrid dispute resolution processes can deliver more effective services to disputants in Nigeria. Hybrid processes suggest the combination of different methods of settlement procedures in order to achieve a better result. A better result can be measured by speedy resolution of disputes, level of compliance to collective agreement and satisfaction of parties to the entire process. Hence, the new thinking in the field of ADR is how a blend of different approaches can enhance justice delivery system in different dispute settings. In the industrial sector, a combination of arbitration and mediation, otherwise referred to as Med-Arb or Arb-Med is further recommended, depending on the nature of the dispute and the dispositions of the parties. According to Riskin *et*. *al*. (2005), ‘each dispute resolution process threatens or promotes different values or interests and within each process, we find many variations.’ Despite the shortcomings of the adversarial systems, they have been known to be open and help set precedence for cases that need public updates. By infusing a higher dose of mediation process into the existing framework, the compliance rate is most likely to increase and there will be timely resolution of disputes. Of course, the constant incidence of strikes, lock-outs and other industrial unrests are likely to abate.

### Concluding Remarks

This paper is an appraisal of dispute management processes as applied to trade disputes in Nigeria. The paper took a critical look at the processes of redress in the industrial sector and concluded that there is excessive application of rigid mechanisms through the instrumentality of the National Arbitration Court and the Industrial Arbitration Panel. The system does not only give too much influence to the Minister of Labour in the determination of Awards but also subjects cases to unnecessary long process that defeats speedy resolution of disputes. Furthermore, the paper criticised the tangential or limited role the Trade Dispute Act accorded mediation in the whole tortuous processes of case management and, therefore, canvassed for mainstreaming mediation clauses into the entire scheme of industrial dispute resolution in Nigeria. Mediation and collective bargaining share important values that are complementary. These elements include voluntariness, democracy, confidentiality, inter-dependence, empowerment and mutual respect. This paper further recommended the adoption of hybrid conflict resolution processes, which will enable the combination of different approaches in dealing with complex problems. All these important attributes show mediation as dynamic, flexible and credible alternative for enhancing collective bargaining procedures in Nigeria.

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# Security Agencies and the Management of Media’s Early Warning Report

## David BODUNDE & Muyiwa B. AFOLABI, PhD

### Abstract

*One of the sustainable factors that keep a nation from impending danger is early warning. In the world of information, the media assists the security agents to gather information through information-sharing and dissemination to keep the world out of impending dangers. Both the press and security agencies need each other in the process of gathering important information that touches on the political security of a nation. With the wave of terrorism, nuclear proliferation, insurgency and environmental hazard which pose threat to national security, the world needs quick information on escalating developments, be they slow and gradual or quick and sudden, to react timely and effectively, if possible, leaving them time to employ intelligence and other non-coercive or military preventive measures. Since these measures require information, therefore, the press and security roles are interdependent, hence an attempt by this paper to highlight the importance roles of security agencies and the media in early warning. It adopts persuasive communication theory and unified theory of acceptance and use of technology and derives its data from observation and desk research. The paper concludes that, if early warning signal is well reported by the media and intelligently processed by the security agencies, it will help a nation to combat crimes, promote peace and be ready to face future threats.*

**Keywords**: Media, Intelligence, Early Warning, Security.

### Introduction

Judging the probability that certain events lead to violence or other crisis, reliable information is needed on a range of possible common events, such as border crisis, nuclear threat, disintegrating regime, probable terrorist attack or where they are most likely to emerge (Lund 1997). Undoubtedly, a nation needs security to sustain its stability. Within the context of security is information-gathering and dissemination and the agents for these among other, agents are the press, intelligence agents, police, immigration officers, private security agents and others. Intelligence agents’ source for information through open and secret sources. The open-source, without doubt, comprises the media from which information is gathered by the security agencies for onward transmission to the government for policymaking (Bartholomees, 2010). In this era of globalisation, information has reduced the world into a technological village, where events happening in any part of the world can easily be shared in other parts through the media.

With the current international political diversity, national security is based on surveillance and information data collection on any impending issue that may likely pose threat to national security in which the media and intelligence agents are the sole custodians of such information. Early warning on impending danger or reoccurrence is promptly spread through information by relaying it through television, telephone, digital camera, broadcasting and internet browsing and from both local and international journals. In view of this, the interrelationship of the government with the media and security agents on national security is a sine qua non (Gill and Phythian, 2012: 103-104). Given this, if the authorities are to make decisions and get them accepted as binding and put them into effect, solidarity must be developed not only around some set of authorities themselves but around some of the major aspects of the system within which they operate. For security sustenance in early warning, therefore, the major aspects of the system within which the authorities may be operating are the media and the security agents to detect threats and maintain national security.

### Literature Review and Theoretical Framework

#### Early Warning and National Security

In contemporary international affairs, there are lots of issues that constitute threats to national security. There are natural disasters such as famine, disease, earthquake, flood and manmade disasters like violence, war, nuclear threat, insurgency, terrorism and others. The need for quick information intervention and dissemination by the press to intelligence agents are of prime importance (Robert, 2003 ). According to Acharya and Dewitt (1997), early warning involves the monitoring of developments in political, military, ecological and other areas, such as the effect of refugee flows, threats of famine and spread of disease, that may lead to the outbreak of violence or major humanitarian disaster.

Almond and Coleman (1960) supporting the imperativeness of information dissemination between the media and the security agents and the need of any national government to maintain internal security, posit that “all functions performed by the political system– political socialisation and recruitment, interest articulation, interest aggregation, rule-making, rule-application and rule-adjudication– are performed through communication.” This informed that the main motive of information-gathering and dissemination to government and the security agencies by the media and security agents is to maintain national security in all ramifications. Thus, security through early warning is not limited to military security alone but to all aspects of national and world security that touch war, insurgency, diseases, famine, natural disaster, weather forecast, environmental pollution and so on. This is why Galtung’s definition of security supports the motive of early warning in maintaining general security when he opined that security is the result of a state positive peace– that is, security is found not in terms of a nation’s might but in terms of a holistic understanding that moves beyond the currency of military power with states as key actors (Galtung, 1975).

In line with the roles of early warning, a state as a security manager in all aspects of military, political, economic, social and human activities possesses the power that keeps the government of a nation and its security moving. This can be made possible by adhering to early warning signs against impending threats through information from the media to the security agents for an early response (William, 2008). Lack of government commitment to early warning sometimes leads to intelligence failure as manifested by the 9/11 terrorists attack against America and the Second Gulf War (Jervis, 2010; Strasser and Whitney, 2004).

A nation is also a security community. Schmid (2000:74), applying the definition of Deutch, defines a security community as “a group which has become integrated in the sense of having attained within a territory a sense of community strong and widespread enough to assume dependable expectations of peaceful changes among population.” Among the chief aims of any community is the protection against both internal and external threat in which one of the protective measures against the threat is early warning. The importance of early warning to security can be seen from the postulation of McCarthy (1997:15) when he opined that, “early warning involves a process of communicating judgments about threats early enough for decision-makers to take action to deter whatever outcome is threatened or to manage events in such a way that the worst consequences are mitigated.”

Early warning possesses the following identified requirements enunciated by Jongman and Schmid (1994). Early warning refers to the prognosis (forecasting) or projection based on collected and processed information. More clearly than monitoring, it is designed to have an alerting function, identifying critical situations with a high escalation potential so that timely actions can be taken to reverse the trend or, at least, to soften its impact through contingency planning. The warning should be issued by a source that has authority with target groups, otherwise, it might be ignored or the wrong sort of action might be taken.

Early warning covers any activity that may threaten the national security environment or cause escalation within the national settings. Early warning addresses various issues in diverse areas that bother on national security. It also addresses areas, where an early response is imminent. Such areas are internal, intrastate or international conflict, genocide, refugee flow across the border, internal displacement of persons, complex humanitarian crisis, state failure, famine, diseases epidemic, minority risk and so on (Chester *et.* *Al*., 2006). Early warning must be timely and should not be overtaken by events. To forestall insecurity, early warning requires a methodology to be applied, such as field monitoring which requires systematic intelligence-gathering through a cultural study of the potential conflict region by local experts, natives and foreigners. It also requires indicators monitoring, which rests on statistical indicators of the events and model-based forecasting (Bolden, 2013).

#### Theoretical Framework

Two theories are germane to this study. They are Persuasive Communication Theory and Unified Theory of Acceptance and Use of Technology. Nwanwene and Thomas (2005) opined that persuasive communication is a conscious attempt by an individual to change the behaviour of others through message transmission. They also made one understand that the decision-making by individuals is central to social action in persuasion. This persuasive communication embraces society, individuals, group and the world at large.

Nwanwene and Thomas (2005) highlighted five stages of adopting persuasive communication. The first stage is the Awareness Stage. This is when individuals are exposed to the information and the idea therein. This may come from printed, broadcast or internet source rather than a public speaker or personal source. They opine further that although individuals may lack complete information, they are not motivated to seek additional information. This connotes that the awareness of idea is central to their immediate reaction. The second stage is the Interest Stage. This is the time when individuals are interested and allow themselves to receive further information for their actions. Next is the Evaluation Stage. This is when the receiver now evaluates the importance or the implication of such information to his life. Fourth is the Trial Stage: The receiver subjects himself to trial with interpersonal communication The final stage is the Adoption Stage: If the trial was persuasive and reassuring from the public or opinion leaders, individual then will be persuaded to adopt the innovation.

Unified Theory of Acceptance and Use of Technology explains why users apply information system and the usage behaviour associated with it. The theory holds that the usage behaviour from media information system (like internet, radio, newspaper and others) is predicated on four key constructs, namely performance expectancy, effort expectancy, social influence and facilitating conditions, which are direct usage intention and behaviour. Again, what moderates the four impact key constructs on usage intention and behaviour are age, gender, experience and voluntariness of use (Venkatesh *et*. *Al*., 2003). Theory of Unified Acceptance was coined form eight models by researchers to explain Information Sources (IS) usage behaviour, such as theory of reasoned action, technology acceptance model, motivational model, planned behaviour/technology acceptance model, model of PC utilisation, innovation diffused theory and social cognitive theory. The Unified Theory of Acceptance and Use of Technology (UTAUT) was validated in a longitudinal study and found to account for seventy percent (70%) of the variance in usage intention.

The relevance of Persuasive Communication Theory and Unified Theory of Acceptance and use of technology to this paper is predicated on the need to understand the extent that news can motivate citizens to take action positively or negatively against the government in power. It also raises the level of attitudinal behaviour of people to what they had read or seen which can eventually persuade them into taking action. Again, the voluntariness of the use of the internet has shaped the behaviour of the masses, developed their cognitive mentality to socio-political issues of their environment. It is also a source of technological innovation to persuade people towards positive or negative reaction on issues that affect their civil liberties

### The Media’s Role in Early Warning History

It is pertinent to trace the history of early warning that supports security events in world history. Historically, the concept of early warning had been imported into conflict prevention field from the readiness requirements posed by the Cold War’s nuclear deterrence policy. Distant early warning American line radar and visual observation posts stationed in Alaska and Canada near 70th parallel were to detect incoming Soviet aircraft and missiles orbit and to discover underground silos in which intercontinental ballistic missiles were stored. The broad definition imported into the conflict field is signalling the period before a situation in which tensions develop into conflict (Schmid, 2000). Before the outbreak of the First World War, spy and counter-espionage activities had provided an early warning in the secret plan of German to invade England. This was revealed in the novel by Erskine Chiders and William Le Queux. *Childers’s Adventures*, ‘The Riddle of Sands’ revealed German invasion of England. Le Queux’ book, *Secret Service* was serialised in *Daily Mail* warning that there were German soldiers in Britain masquerading as waiters and tourists.

He also warned that a group of I traitors had formed an organisation called ‘The hidden hand’ and ready to betray their nation into the hand of the Germans (David, 2004). In the 2nd World War, a war warning had been sent to Washington on November 27, 1941, and to the American commander in the Pacific, when Japan had suddenly changed the radar call signs of all its ships which were difficult for American communication intelligence in Pearl Harbor to intercept for appropriate defensive deployment. Failure to intercept for early response led to the bombing of the American fleet in Pearl Harbour (Nathan 1989). Closely following the Pearl Harbour disaster during the 2nd World War was the early warning danger which the effect of America’s nuclear weapons to be used against Japan will pose to world security. The bombing of Pearl Harbour was followed by America’s retaliation by using the atomic bomb to seal the fate of Japan in the war. The scientists who invented the bomb immediately sent early warning signal to President Truman in April 1945, thus: “We remind you of the report sent to President Roosevelt in 1940. It spoke of the danger of radiation which will kill men, women and children for several miles around the explosion….” (Ferriby *et*. *Al*., 2000: 248).

The end of the 2nd World War ushered in the Cold War in which intelligence and early warning played a vital role between the defunct U.S.S.R. and the United States of America. Undoubtedly, fear and suspicion divided the United States from its Soviet ally even before the guns of World War II had cooled down. In early 1945, a left-wing magazine, *Amerasia*, devoted to Asian affairs revealed an article on American-I rivalry in Thailand which was quoted verbatim from a classified document from the Office of the State Security. This early warning of American Intelligence secret document leakage gave the Intelligence agents early response to secure a warrant against *Amerasia*. The Iran contra affairs of 1986 were blown open in the newspaper and television screens with the antecedent early warning and security threat that will likely pose to American citizens. In place of the Americans taken hostage by Iran, a settlement of weapons trade was about to be made by Iran and America to release the hostages.

This attracted early warning revelation that called for a congressional probe as the nation watched breathlessly on the covert operation (Nathan 1989). On the application of biological weapons on the Iran Kurdish in 1988 during Iraq and Iran war, *Washington Times* reported an early warning from the Britain M16 intelligence service three years later that Hussein had ordered an all-out effort to develop nuclear weapons. This seriously raised the issue of the Second Gulf War by America to apply early warning response against its use by Hussein (jewishvirtuallibrary.org/). Intelligence inefficiency and failure was seriously blamed on the American Federal Bureau of Intelligence on the issue of Al Qaeda’s attack of 9-11-2001. Christopher (2008:138), attesting to the role of early warning and the failure of American intelligence agencies in taking early prevention, said, “another reason why the pre 9-11 dearth of American intelligence on Afghanistan still shocks is that open sources readily displayed the magnitude of the problem of foreigners entering Afghanistan for guerrilla and terror training– *New York Times*’ Sunday Magazine reporter, Tim Weiner, drew attention to the tens of thousands in training there.”

This shows that, in recent times, modern democratic states have often proven that outright negligence about their security, arising from ignoring early warning can be catastrophic. Nowadays, some states may even decline to raise a large military while some seem distasteful on the hiring of the press or spies to play important roles in early warning.

### The Importance of Media in Information Dissemination

Chapman and Slaymaker (2002), stressing the usefulness of information in exposing governmental activities on how they rule over their citizens argued that: industrial society has moved into an era of advanced information technological innovation, affecting the way developed countries run their businesses, their institutions, and lead their lives. One of the areas in which these technological advances are dramatically influencing people’s lives is that of information and communication technology– hence the claim that we are in the midst of a digital revolution that is driving us towards an information society. Barry (2012), quoting the Declaration of Principles issued at the end of 2003 World Summit in Geneva and Tunis, emphasise the commitment and the rights of citizens in acquiring knowledge, protecting their civic rights and sustainable development through information technology in the following manner: “We declare our common desire and commitment to building a people-centred, inclusive…, create access and share information and knowledge, enabling individuals, communities and peoples to achieve their full potential in promoting sustainable development and improving their lives.”

Barry asserts further that the media has reduced uncertainty and anxiety. The internet, among others, has helped to bring society together. The internet has also established a network of communication between community members and the outside world to improve the institutional context of their communities. All over the world, the internet allows access to new communication tools with the provision of medium for discussions and exchange among various communities and organisations. This enhances their knowledge about their environment and development therein. Expressing the geographical sphere of media influence, Kamath (2008) opined that internet news, newspaper or news has no geographic boundaries and seen by many as a compilation of facts or events of current interest or importance to the readers. Highlighting the implication for internet news or any news, it may be said that without consciously realising it, most people read only part of the newspaper they buy or the internet news they browse. Their readings are selective and they read only what interests them. What interest most readers are internet news characterised by novelty captivating pictures at the background expressing discontentment, crime, conflict, power struggle and religious conflict. This is to attract widespread attention, interest, society determinism, moulding public opinions for the promotion of pre-determined objective (Chigozie, 2014).

With the new revolution in information technology, Aborisade (2012) citing Avgerou (2008:133) reiterated the history impact and the potential of information system in the following words:

Undoubtedly, the pace and direction of information and communication technology (ICT) innovation and concomitant organisational change which comprise the object of study of Information System (IS) field, are set by the advanced countries of the World-North America and Europe. Nevertheless, international literature includes an increasing number of studies of IS innovation experiences in other regions of the world, mainly the developing countries of Asia, Africa and Latin America.

Avgerou (2008) discussed further how developing countries have benefited from information and telecommunication technologies from three processes namely: (a) A process of technology knowledge transfer and adaptation to local social conditions; (b) A process of socially embedded actions; (c) A process of transformative techno-organisational intervention associated with global politics and economics. Highlighting how information technology such as internet was adopted among Iraq citizens, it was concluded that information technology expanded the options and the reach of citizens in the war-ravaged areas and enabled them to have a wider choice of action. According to Leiner *et*. *Al*. (2003), internet technology has enhanced the mass participation of citizens in news production more than any other technology before it. The internet has revolutionised the computer and communications world (Aborisade, 2012).

### The Security Agencies’ Role in Managing Early Warning Media Report

The Forum for Early Warning and Response (FEWR 1997:1) defines early warning as: “The systematic collection and analysis of information from areas of crisis for the purpose of anticipating the (a) escalation of violent conflict; (b) the development of strategic responses to these crises; and (c) the presentation of options to critical actors for decision making.” From this definition, the main task of detecting threat against national security stands clear. It is also the systematic collection and analysis of information. The advantages that follow are anticipation of violence, strategy against the violence and the presentation of options to the actors who are government or its agencies for decision making. Security agencies usually combine to form security communities, such as the American Intelligence Community comprising Federal Bureau of Intelligence, National Security Agency, Military Intelligence, Homeland Security and so on. Examples may also come from Israeli’s Intelligence community comprising the Mossad and the Shinn Bet as well as the Nigerian intelligence community which include the Department of State Security and the Defence Intelligence Agency, to mention but a few.

However, other agencies saddled with security responsibilities are numerous all over the world such as the Police, Civil Defence, State Peace Corps, and Homeland Security in America and other nations’ security all over the world. Security has to do with the management of threat by these security communities and organisations and the promotion of peace without let or hindrance. With concern to early warning intelligence collection from the media and its dissemination, every intelligence community of any nation plays a vital role. It is worthwhile. Therefore, to examine the roles of these security outfits together in the management of media early warning report.

### Systematic Collection and Analysis of Information

The intelligence community of any nation embarks on systematic collection, analysis and dissemination of intelligence on intending threat that may likely befall a nation. Intelligence is defined by Schmid (2000:50) as: “Knowledge resulting from detection, collection, integration, evaluation, analysis and interpretation of information used for decision-making for diplomatic, military and other operations.*”* The reliance of the security agents on intelligence gathering from the media cannot be underestimated in early warning. Intelligence agents must detect and collect genuine information on the foreseeable danger by systematic collection of information from the media. Herman (1997:15), narrating the interrelationship of the press and intelligence in information gathering, claims the newspaper for a long time remained ‘intelligencers’ and diplomats continued to speak of political intelligence.

On information gathering, therefore, the roles of media and security agents are synonymous. The media gather information through investigative journalism while the security agents embark on information-gathering through intelligence surveillance by secret and open sources. Raw information on early warning must undergo some elements of professional and systematic procedures of integration and evaluation with a view to fishing out genuine and unbiased report. Therefore, it is the duty of intelligence agents relying on the media source or other sources to see that information collected so far are genuine. The media before passing the information for public consumption should try to undergo the bureaucratic procedure to see that wrong information is not reported. Towle (1987:86), enumerating the importance of the media as a source of information, said: ‘There was some regular continental interest in peacetime military intelligence and the development of printing and gradual liberalisation of press and publication laws that made books and newspapers increasingly available as sources of foreign information.’ Till date, Security Departments could still consider newspapers, books and intelligence agents’ reports for intelligence-gathering.

More striking is the early warning intelligence-gathering, which becomes the stimulation of the new technical sources of information gathering from the media sources of information gathering such as radio interception or communication while the other was airborne photography known as imagery. These enable intelligence and media, who are specialist information collection agencies to concentrate on a particular kind of information collection and thereby meeting the needs of all parts of governmental activities. Another element of the media and security agents is the sharing of the gathered information on an early warning. Media reports on early warning threats are read by the security agents and investigation starts immediately to know the extent of early warning going by the media. This information can be found through newspaper reports, television and radio communication. Radio communication is also a replica of signal intelligence. The real impetus for modern signal intelligence came early from the introduction of radio. Radio is electromagnetic radiation in free space, how widely it radiates depends on its technical characteristics. According to Herman (1997:67), ‘use of radio provides their opponents with commensurate intelligence opportunities. Radio interception was the basis of war’s big signal intelligence successes.’ Again, pictures of events on early warning by the media can be relayed and put into intelligence analysis through imagery intelligence to make intelligence forecast on early warning possible and precise.

### Information Analysis

It is a cardinal principle of early warning intelligence gathering that collectors must do adequate analysis on information collected not to send the wrong signal to the affected nation. Analysis identifies significant facts, comparing them with existing facts and drawing conclusions. The work of the media is that of a historian who relays quick information to the public on impending threats. Though the media may not require rigorous data analysis before passing information to the public, to a certain extent, the rigour of investigative journalism should guide him to a logical conclusion. Intelligence agents, as security officers in early warning, need to acquire inputs from all types of problems emanating from analysis. They must be close to their collectors to examine their collections and know the pitfall of various sources when their collectors are carried away by professional enthusiasm.

The difference between media and intelligence in early warning analysis can be seen in Carr (1964:123) when he opined that “the historian’s craft involves the capacity to rise above the limited vision of his situation in society and history. Intelligence needs this same ability to get outside its preconceptions, in short- as well as long-term analysis.” The difference in analysis and the consequences can also be seen in Gazit (1988:35), when he said, “the journalist can entirely ignore his own mistakes. They’ll be forgotten by the time tomorrow’s headlines appear. Not so much into the intelligence analysts. If he proves to be living on a cardinal issue, he will doubtless hang for it.’ However, the media stand as the vehicle which gathers information for analysis for the security agents on intelligence gathering.

### Interpretation and Development of Strategies

All sourced intelligence materials extend to many non-intelligence sources which include open materials that are publicly available as well as information by the government through non-intelligence means. Most of these non-intelligence materials such as diplomatic telegrams, news agency reports and mass media coverage can flow directly into all source stage. It is the responsibility of intelligence agent to jointly access all sources of information and interpret them to a logical conclusion to achieve proportionality and rationality in their judgment. The essentials of interpretation are to enable intelligence security agents to know how to categorise their reports types either on current reportorial which is based on what has happened recently and is still happening now or basic-descriptive report which centres on relatively fixed facts of a situation and speculative-evaluation which deals with future and also assessing what intelligence means to the users. Various strategies are, therefore, recommended against the threats through rapid deployment of force or task force, conflict resolution committee, general immunisation against impending flu or epidemic, striking bargain with adversary or strategy to control arm flow and so on.

### Presentation of Report to Decision-makers

If preventive action is going to be imperative more often in the future, it is necessary that reliable intelligence advice from security officers emanating from the report of the media be provided to decision-makers as to what is likely to happen if they adopt a certain course of action in a given situation. This responsibility does not isolate the media which give direct solutions to the government through publication or intelligence agents who give secret professional advice and strategies to the government and also predict future implications. These responsibilities are necessary so far in intelligence, where few existing analyses of specific conflict situations try to or can back up what they recommend to policymakers with a sound or, at least, plausible analysis of whether the recommended actions are likely to work and why. The policy prescription must also rely heavily on informed judgment and reduce uncertainty. Nevertheless, security intelligence policy advocacy that is based on evaluating past actions and their results in a given context would be an improvement in decision-making (Buckley, 2014; Fingar, 2010).

### Media’s Early Warning and the Security Implication

The essence of early warning is to get a quick response to any impending threat that may likely affect national security. Given this, early warning enables nations to get a quick response to impending danger. Moreover, it helps in forecasting the future threat. Threat may emanate from various sources either from security or politics against democracies and a good forecast of the threat will enable nations to act quickly to checkmate such threat which is the most enviable positive implication for achieving the security of a nation. Citizens are quickly aware of impending danger through early warning and solution is proffered (Lock 2013: xiv). Early warning media report collection assists in the application of counter-intelligence. Counter-intelligence is to counter the enemy’s capability in applying dangerous means in attacking the nation through the application of more advanced intelligence against the enemy’s intelligence. Early warning promotes good, quick and standard information for government and public consumptions. It affords a nation the readiness to combat threats that may likely affect national security. It also aids national and contingencies planning in the areas of national needs and the danger that may likely affect national security (Stuat *et*. *Al*., 2008).

However, a media report on early warning may be faced with shortcomings, wrong data may be collected which may likely result in a wrong decision on the issue at stake. Early warning report may lead to exaggeration by the media for economic gain that may likely arise through the sales of the news. It may be an object of political propaganda against the government of the day to show its ineptitude and the consequence of the current threat that may likely pose danger to its citizens. Media propaganda as a weapon of information dissemination may lay too much emphasis on common rather than security information from early warning thereby denying security intelligence officials the honest attempt to fulfil a vital role in giving information that can promote national security.

### Conclusion

For a nation to sustain its security against internal and external threat, the role of security agencies in the management of media early warning cannot be set aside. It keeps a nation out of danger and safe its citizens from unforeseen threats. It is also a mechanism that any government of a country should apply in its intelligence gathering in monitoring threat against national security. It should be noted that contemporary threats, such as terrorism, nuclear proliferation and various environmental hazards, demand an early warning intelligence gathering. In as much the role of early warning cannot be left out on national security, therefore, early warning, if well reported by the media and intelligently processed by the security agencies, can help a nation to combat crimes, promote peace and be ready to face future threats.

From all indications, a nation should try to pay adequate attention to media early warning report to sustain its security. Again, early warning security report should be one of the focus of the security agents and intelligence analyst in their threat analysis. Moreover, governments should take heed of early warning information gathering from the media and its intelligence report from the security agents rather than reducing it into mere political debate based on partisan politics. Citizens should endeavour to give adequate information to the media on any impending threat that may likely affect national security and also assist the security agencies in preventing such future occurrence.

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# Theorising the Negative Impacts of the Niger Delta Development Commission’s Social Services in Odi Community, Bayelsa State, Nigeria

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### Abstract

*The paper focused on the negative impacts of the Niger Delta Development Commission’s (NDDC) social services in Odi, one of the communities in the Niger Delta. The negative impacts of the social services in Odi are consequences of the mutual interactions of the interventions and the community context. The study employed a case study research design and data were collected through key informant and in-depth interviews, document and observation. Forty participants were interviewed in 60 face-to-face and mobile-phone interviews. Interviews were recorded, transcribed and later analysed using ATLAS.ti 7.0. Findings show that the pervasive perception of the NDDC’s social services as resources triggers feelings of greed and likely deprivation in actors and thus motivated them to struggle for the benefits. This determines and drives the mutual impacts of the social services and the context triggering other negative impacts including the black hole of interactions, malevolent charity-beggar relationship between the Commission and beneficiary community, and oppressiveness and divisiveness of the NDDC interventions. This lends credence to the notion that interventions in conflict context have the potential for negative (conflict exacerbating and peace undermining) impacts.*

**Keywords**: NDDC, Odi, black hole of interactions, resource status of intervention, intervention-context interactions.

### Introduction

The need to give special attention to the development of the Niger Delta Region (NDR) has been recognised before oil exploration began in the area and before Nigeria’s Independence. It informed the colonial government’s commission of enquiry— Willink Commission of 1957/58— set up to investigate the fears of the minorities and how to allay them. The commission recognised the peculiar developmental needs of the region and recommended a developmental board for the region. To this end, the Nigerian central government, at different times, established specialised agencies to cater to the needs of the region. The Balewa Administration set up the Niger Delta Development Board (NDDB) 1960-1966. The failure of NDDB and the increasing political mobilisation of the various ethnic groups in the region informed the setting up of the Presidential Task Force by the 1979/83 Administration. The Task Force was set up in 1980 and 1.5% of the Federation Account was allocated to it to tackle the developmental problems of the region (Master Plan 2006). The body lasted from 1980-1985. In 1992, the Babangida Administration established the Oil Mineral Producing Areas Development Commission (OMPADEC) for the provision of infrastructure in the area. OMPADEC lasted from 1992-1999. Through these establishments the people of the NDR have suffered rising expectation, relative deprivation, and frustration. The result has been to engender aggression and violent conflicts among the people.

By the late 1990s, the Niger Delta Region had become a lawless zone, where youths disrupted oil production at will and communities frequently engaged in destructive inter**-**and intra**-**community strife at the slightest provocation. This was the situation of things prior to the establishment of the Niger Delta Development Commission as a programme for the sustainable development of the NDR. The National Assembly enacted the NDDC Act, 2000 on the 12th of July, 2000 (The NDDC Act 2000). The NDDC was officially inaugurated on 21st December, 2000, but established in 2001 (NDDC, 2011). In the words of ex-President Obasanjo, *the*]“Niger Delta Development Commission has the potential to offer a lasting solution to the socio-economic problems of the Niger Delta people.” (Master Plan 2006). The NDDC’s vision is to “offer a lasting solution to the socio-economic difficulties of the Niger Delta Region.” It has the mission “.to facilitate the rapid, even and sustainable development of the Niger Delta into a region that is economically prosperous, socially stable, ecologically regenerative and politically peaceful.” (Master Plan, 2006). The Directorate of Education, Health and Social Services is one of the 11 directorates established in Part III of the Act. It is responsible for the provision of social services in the study area.

This paper focuses on the negative impacts of the provision of the NDDC social services in Odi between 2006 and 2011. These interventions generally fall within the NDDC Quick Impacts Projects (QIPs) and the early phase (years 1-5) of the implementation of the Niger Delta Regional Development Master Plan. They included provision of free healthcare, water schemes, and educational facilities and programmes. The NDDC educational facilities in Odi include the construction of science laboratories and classrooms in public schools; replacement of community school. Others include training on modern agricultural practices including aquaculture, mushroom farming, grass-cutter rearing, beekeeping, and snail rearing. The paper presents the intervention-context interactions (ICI) perspective in the next section. The subsequent sections present phenomena germane to understanding the nature, dynamics and implications of the interactions of the NDDC interventions and the Odi community context. These include resource status of intervention, black hole of interactions, likely deprivation, Ward 12, oppressiveness of intervention, divisiveness of intervention, malevolent charity-beggar relationship, and the geniuses of conflict transformation in the community.

### The Context of Odi Community

Odi is an Ijaw community in Kolokuma-Opokuma LGA (with headquarters in Kaiama), Bayelsa State. It is located beside one of the tributary rivers of River Niger, bordered in the north by Odoni and Agbere, in the south by Sampou and Kaiama along the River Nun bank. Its western neighbors are Patani and Abari, while in the east is Okordia Zarama. Its built-up area is 3.85km north-south and 2.6km east-west. Odi has twenty-seven communities (formerly referred to as compounds but rechristened for political reasons) and divided into north (Asanga) and south (Tamanga) parts. There are thirteen communities in Asanga and fourteen in Tamanga. Communities in the north are: Amakiriebi-ama, Amatus, Ebereze, Ede-ama, Ekpevama, Fisin, Ifidi, Keminanabo, Mamuagha, Osiakeme-ama, Ogien-ama, Payo, and Timbo-ama. The south parts consist of: Ayakoro-ama, Bethlehem-ama, Bolou-ama, Burudani-ama, Ikiri-ama, Ineinfagha/Akangele-ama, Obimo, Oboribengha, Obuka-ama, Ofouwara/Gbagba-ama, Ogboloma, Sounbiri, Tamukunoun, Tonbere-ama. The community has three wards.

There are four cardinal groups in Odi Community. These are the traditional council, the Community Development Committee (CDC), the Youth Council, and the Women Group. The traditional council is headed by His Highness, the Amananaowei (King) and has twenty-seven chiefs representing each of the communities in Odi. Membership in the traditional council is by election. While the Amananaowei is elected for life, the chiefs are elected for a period of three years. Upon the demise of the King, his first son acts as a regent for a period of two years before election is conducted for the next King. Membership of the Youth Council is open to all female and male youths aged fifteen to forty-five who have a maternal or paternal affiliation to the community. Interested individuals register with a token fee to become a member. Any member can vie for elective post by campaigning and seeking vote through elections. Elections are held every two years through an open or secret ballot system. The Youth Council is a vibrant and formidable organisation in the community, with well-articulated twelve-point objectives covering almost every facet of community life.

Divergent views between the Tradition Council and the Youth Council often lead to tension between the two groups. However, in Odi, the Youth Council usually defers to the Traditional Council on many occasions out of respect for the elders and in order to “allow peace to reign. The Women Group, headed by the Ereamini da-aru, comprises every community woman by default. The Ereamini da-aru is chosen by the women themselves to manage their affairs. The current Ereamini da-aru has been in office since the 1999 Odi Massacre. The Community Development Committee (CDC) is a group set up for the development of the community. It is supposedly the community’s contact with any development initiative in the community. Each of the ten members is elected democratically from communities. No community can have more than one member. The group is headed by a chairman. At the time of the fieldwork, the CDC was being reconstituted.

The Odi Massacre is a reference point in the community. The event that led to the massacre is the murder of seven policemen by hoodlums who were then operating from Odi. On November 20, 1999, in retaliation of the murdered policemen soldiers, surrounded Odi and neighbouring communities. According to the ERA/FOE, Nigeria, report, “[b]y the time the military operation ended, 2,483 people, including women and children, lay dead. Many more were displaced, injured, and traumatised and an inestimable number of properties destroyed.” (Environmental Rights Action/Friends of the Earth 2002: 6). At the time of the fieldwork— eleven years after the massacre— Odi Community has become a peaceful community. There were no open conflicts. However, low intensity dissatisfaction abounded. The massacre was a recurrent theme in the discussions with all the community people.

### Mutual Interactions of Interventions and Community Context

As argued by Akinyoade (2018), several authors have convincingly argued the inevitable interactions of intervention and the context where it is situated (Resource Pack 2004; Anderson 1999 & 2004; Bush 2003c & Bush 2009). Works in impact assessment have shown that intervention initiatives in conflict setting do impact on elements of the context and vice versa. Against this notion, the paper conceptualises the interactions using a framework— the intervention-context interactions (ICIs). This serves as the basis and framework for assessing and theorising the impacts of these interactions on the Odi community context. The intervention-context interactions (ICIs) are the mutual interactions between stages of an intervention programming and elements of a given conflict context, with their potentials for positive or negative impacts on the conflict situation (Bush & Opp 1999; Bush 2003a; 2003b; 2003c; Resource Pack 2004).

As noted by Barbolet, Goldwyn, Groenewald, and Sheriff (2005), conceptualising impact in terms of interactions is helpful. They submit “[n]ew thinking on topics such as ‘interaction indicators’ shows promise worthy of application and subsequent learning.” The ICI matrix is based on such thinking. In the matrix, alphabets represent the stages of an intervention and elements of a context. P stands for planning, I for implementation, ME for monitoring and evaluation, while, A stands for actors, C for causes, Pr for profile and D for dynamics.

**Figure 1 :** Intervention-Context Interactions Matrix



Source : (Akinyoade 2010)

PA represents the impact of planning on actors, while AP stands for the impact of actors on planning. PA—AP, therefore, represents the interactions between planning and actors. PA may be positive or negative. Same goes for AP. In essence, in planning-actors’ interactions, there are four potential impacts: positive planning-actors (+PA) impact; positive actors-planning (+AP) impact; negative planning-actors impact (-PA); and negative actors-planning (-AP) impact. +PA describes a situation where the planning of an intervention has positive impacts on the actors. Positive AP (+AP) is when actors, through their contributions, impact positively on the planning of an intervention. -PA and -AP are negative impacts of planning on actors and of actors on planning respectively. For instance, planning may involve a party and neglect other(s) or give better treatment or special recognition to a party at the expense of the other(s). This may sustain old tensions or foment new ones among parties. Alternatively, actors’ conflict behaviours may disrupt planning or inform bad decisions.

From the foregoing, the planning stage has *four potential impacts* with each of the four elements of the context. In all, it has *sixteen potential impacts* with all the elements of the context— actors, causes, profile and dynamics. These potential impacts have equal numbers (eight each) of both positive and negative “charges.” Similar cases can be made for other stages (implementation and monitoring and evaluation) as well. This brings the total number of *potential impacts* between intervention and contexts to forty-eight— twenty-four potential positive and twenty-four potential negative impacts. This implies that ICIs carry equal potential to contribute positively or negatively to a given conflict situation.

**Figure 2:** Intervention-Context Interactions Framework



**Source:** (Akinyoade 2010)

The ICI framework represents potential, multi-layered, multidirectional interactions between intervention and context. The ICIs potential impacts on the context are in the emergent loop of multi-layered, bi-directional interactions. These interactions produce the dynamics that support peace or conflict in a conflict situation. The ICI perspective measures impact in terms of the implications of the interactions on conflict situations. It shows the measurable potential impacts that interactions of intervention and conflict context have for the conflict situation. Therefore, we can conceive of ICI’s *negative**impact* and ICI’s *positive**impact* on a conflict situation. The ICI framework is useful in understanding and explaining the nature, dynamics and implications of the interactions of the NDDC social services and the context of Odi Community. Subsequent sections present phenomena that aid such understanding.

### Resource Status of Intervention

A proper understanding of the implications of the ICI within the study area requires an understanding of intervention as a resource within a given context. This is consistent with Anderson’s submission that “[a]ll aid programmes involve the transfer of resources (food, shelter, water, health care, training, etc.) into a resource-scarce environment.” (1999; 2004; Resource Pack 2004:47). Intervention is perceived as a resource in most contexts because it is a social solution package intended to improve a given social situation. As a solution package, it comes with tangible (e.g. financial and material) and non-tangible (e.g. prestige, influence) benefits. These benefits are potential resources that could be exploited by actors from within (community actors) and outside (external actors) the intended context of the intervention. According to Anderson, “…these resources represent power and wealth and they become an element of the conflict” in context (cited in Resource Pack, 2004:47). Bush concurs with this view when he opines that intervention introduces new dynamics in the context, creating winners and losers (Bush, 2003a) as actors sometimes “…attempt to control and use aid resources to support their side of the conflict and to weaken the other side.” (Resource Pack 2004:47).

The NDDC as an intervention agency is a source of resources in the NDR. Its funding is provided in Part V of the NDDC Act:

1. 15 percent of the total monthly statutory allocations due to member States of the Commission from the Federation Account;
2. 3 percent of the total annual budget of any oil producing company operating, onshore and offshore, in the Niger-Delta area; including gas processing companies;
3. 50 percent of monies due to member States of the Commission from the Ecological Fund; and
4. Miscellaneous sources.

These translate into an annual budget of billions of naira. This makes the NDDC and its activities very attractive to all sorts of actors with varied motivations. Empirical evidence suggests that the NDDC interventions are perceived as a resource by both external and community actors, thus compelling actors, motivated by need, greed, or *likely deprivation* to mobilise and contend to appropriate the intervention’s benefits for themselves and their constituencies. Its benefits include federal government jobs, contracts, physical projects and human capacity development programmes and money. As such, it becomes a reason for legitimate and illegitimate motivations to satisfy legitimate needs, actors’ insatiable wants and/or opportunity actors do not want to be deprived of. This showcases the impacts of intervention on actors and vice versa. Actors’ perception of intervention as a resource is the main driver of the ICI in Odi.

### Likely Deprivation

Likely deprivation is a social-psychological and psycho-social condition in which, driven by fear of real possibility or likelihood of deprivation of benefits (including rights, privileges and other opportunities), an individual or group takes actions to secure her/its share of the perceived benefits. Likely deprivation is different from relative deprivation in the sense that the former is a priori (that is, in anticipation of deprivation) while the latter is a-posteriori (that is, consideration of past deprivation relative to others). Likely deprivation is prevalent in socio-political arrangements in which the rights and privileges of citizens are not guaranteed in fair and just processes. Thus, citizens learn to use every means, fair and foul, to secure benefits. Individuals’ psychology and groups’ social-psychology in Odi is characterised by anticipated deprivation of the benefits/resources of the NDDC unless they struggle for it. This mind-set drives the competition, conflict and cooperation over the resources of the NDDC.

 Likely deprivation is somehow characteristic of the Nigerian society. It is pronounced in the NDR due to the interplay of the long history of marginalisation and deprivation and the availability of the intervention benefits and other resources to struggle for. Likely deprivation is both a consequence and form of structural cause of conflict in the NDR. It is a manifest form of loss of faith in public institutions to distribute public goods and services in a fair and equitable manner.

#### The Ward 12

Ward 12 is another important phenomenon in understanding the impacts of the NDDC intervention in Odi. Odi is a community in Kolokuma-Opokuma LGA. The LGA has 11 wards (electoral divisions) three of which are in Odi. The Ward 12 phenomenon according to a respondent refers to “…our people that are living outside, that are in Yenagoa [the state capital and largest Ijaw city], that are close to the government… sometimes even if you are not close to Ward 12 you will not have anything [that is, benefits, including NDDC intervention].” Ward 12 constituency thus includes influential individuals such as the NDDC staff and politicians who are indigenes of various communities and who lobby the NDDC and government on behalf of their communities for a share of the NDDC interventions. How influential a community’s Ward 12 members are determines the type, quality and quantity of the NDDC intervention in the community. According to resident community people,

…like if you have somebody there, like we have a daughter there [the NDDC] that is…influential there, hmm, she can work out something and say look come and meet the CEO, see what I’ve done for the town. Like we have this rest house that was just lying fallow [uncompleted], so, the girl now moved and before we knew, they sent a proposal that this thing should go on. —Odi Community member, a politician

The road network at Sabagreya is more than this place [Odi]…it’s because some of their people are in the NDDC. Even in the state here. The state NDDC representative, the state coordinator or whatever, is from Sabagreya. Then sometimes they also have some of their big men, hmm, they are concerned about the village and so they move to NDDC to lobby for more…projects. They will now liaise with the deputy speaker. The deputy speaker of…the house [the state’s House of Assembly] is from Sabagreya too, he’s from there. So, all of them will now put heads together, hmm, and then see how they can now [facilitate NDDC interventions for their community]…it’s all about the government…if they are assigning project to you, if it’s two kilometres, you lobby for more kilometres. — Odi Youth Council Executive

Members of Ward 12 are usually motivated by the personal desire to increase their influence in the community. Hence, interventions attracted by Ward 12 may not necessarily be needed by members of the community. Moreover, inasmuch as members of Ward 12 do not appropriately consult the members of the community, their involvement in attracting interventions to the community does not constitute community participation in intervention programming.

### Black Hole of Interactions (Bhis)

This is the intense interactions between the resource-rich NDDC interventions and influential actors such as NDDC Board members and Management staff, politicians, contractors/consultants, high ranking government officials and the Ward 12. In the Bhis, influential actors lobby, manoeuvre, and negotiate in sharing and exploiting the resources of the NDDC interventions in an environment of non-transparency, bare-faced corruption and endemic bad governance. It is a function of the interplay of the resource status of intervention, likely deprivation, and greed. The existence of the Black hole of interactions is supported by the report of a probe panel and the participants’ responses.

The Probe Panel, set up in 2011 and headed by Mr. Steve Orosanye, was to identify factors hindering the Commission from performing its statutory functions. The report indicted the former Managing Director/CEO of the Commission, Mr. Chibuzor Ugwuoha as misappropriating N511 billion in two years. It also indicted consultants of the Commission and aides to the Nigerian President. It led to the dissolution of the NDDC Board, chaired by Air Vice Marshal Larry Koinyan (Rtd.),in September 2011. Corrupt practices identified by the committee include: zero procurement procedure (contrary to the provisions of Section 16 (6-9) and 23 of the Public Procurement Act (PPA), 2007), and lack of pre-qualification processes for projects within the N250 Million approval threshold of the Commission. The Black hole is a characteristic feature of the NDDC since inception. According to interviewees,

…on the books they [NDDC] seem to be doing it, but it…tilts towards interests. Interest of those who…want to…gain from [it]. Whereby the core people in the rural areas are not benefiting from it. So…you know, even though the office is under the presidency…the oversight…is not really…being done in the way it should. And also, the finances of…the NDDC is not being monitored…You will see a project, ordinarily, that will not cost up to ten million naira…the Commission end up saying it is 100 million, 200 million and nobody questions it. There is no…accountability…You still see…over so many years now that the commission has started, there have not really been emancipation of the Niger Delta region. — An NDDC Consultant, Port Harcourt

But to be frank with you…I’ll say that nearly 99.9% of projects are not initiated from the CRD [the NDDC’s Directorate of Community and Rural Development] but from the Projects…ok, if I say the Project Directorate or project department, I’ll also not be saying it accurately as it is, you know. We hardly do needs assessment… most of the project that get into the budget for implementation come rather from people who are desirous of doing contracts. For example, members of the national assembly, you know. That’s how our projects are generated. —NDDC Staff, Desk Officer

The Black hole has a crippling effect on the overall effectiveness of the NDDC social services. It excludes the resident community people (RCP) from the C&P, limits their participation at the implementation stage and discourages their participation at the monitoring and evaluation stage. Some of the activities of the Bhis identified by the Panel include non-compliance with extant regulations and statutes; acrimonious and poor interpersonal relationship between the Board, the Managing Director, the Executive Directors and among top Management Staff of the Commission (probably due to contention over resources). Others are structural defects and over-centralisation of the Commission’s activities; widespread misconception of the role of the Commission by staff and people of the region; ethnicity and fictionalisation. The remaining are routine and rampant externalisation of internal problems and disagreements; ineffective supervision by the supervisory agencies of the Commission; and inadequate funding and staffing of the state offices. The report revealed a characteristic high-level corruption in awarding contracts and that the quality of the NDDC projects is generally far below acceptable standards.

The Black hole jettisons the injunction for transparency, accountability and full participation of critical stakeholders contained in the Master Plan: “It needs to be re-stated that the leadership of the NDDC must uphold the principles of transparency and accountability…” (2006, 241).

### The malevolent charity-beggar relationship between the NDDC and Odi

The NDDC intervention programming establishes and sustains acute power disequilibrium between the NDDC and the beneficiary community. (It is an extension of the power disequilibrium characterising citizens-state relationship in Africa where citizens generally feel that government responsibilities towards them are privileges, rather than rights). The power relation confers the status of charity on the NDDC and forces the status of a beggar on the community. Over time, the relationship has become malevolent, due essentially, to the effect of the Black hole. Odi has been made to see the NDDC interventions as a rare “charity” and scarce resource. So, in whatever form it comes to the community— good, bad or ugly— the community dare not reject it. Even if it is clearly not needed or there are significant ways of improving it. According to a participant, “they are developmental projects, people are looking for them and they don’t get and you, you have the opportunity to…you are given the opportunity, will you reject it?”

The interventions are privileges that the NDDC endows on those who are in its good records. This relationship is most evident in the oppressiveness of the Commission’s intervention. The subtle disempowerment of the community starts right from the C&P stage (with the exclusion of the RCP) and runs throughout the entire programming cycle. The community is oppressed when provision of social services put them in a “beggar has no choice” situation. The malevolent charity-beggar relationship makes the NDDC intervention oppressive leading to the phenomenon “oppressiveness of intervention.”

### Oppressiveness of Intervention

Empirical evidence suggests that the NDDC interventions are oppressive in Odi. Oppressiveness of intervention is a situation in which beneficiaries are directly oppressed by the intervention either as a consequence of insensitive programming or a by-product of corruption in programming. In the programming of the NDDC intervention, oppressiveness of beneficiaries begins right from the conception and planning stage and runs throughout the entire programming cycle. The existence of this relationship is inferred from community people’s views:

Even if they [NDDC contractor/consultant] meet the paramount ruler, they will just go out and do what they want to do. The paramount ruler has no control over them that this and this are what and what I want in my community so that it won’t bring problems. So, they just come and map out the roads. So, when they come with the contractor, the contractor will just come with his drawing, say “This to this will have one road, from so-so-so kilometre, this, this, this, this or this to this will have another road.” That is all what the consultant will just come to tell you. That “I’m an engineer and I know what I’m telling you. If we go to the road and we measure it, you will see it” just like that. So that’s the way they do their things.— Secretary to the Traditional Council

The moment I hold the file, the file opened and I saw the number of projects meant for the school. And that was why I begin to see…some of the things that were supposed to be done. And immediately, I fired back, I cried out, but I was silenced from Port Harcourt office. Say that, ‘You, a civil servant you don’t talk anything, because is it only your community that is there? Are there no other communities?’ The people that came from the headquarters office are the same people silencing me from telling the truth. It’s funny…so, that’s the situation. — Male secondary school teacher.

The oppressiveness of intervention has negative impacts on the intervention programming. It manifests in various forms. The first form is in imperious and imperial manner of excluding RCPs from C&P, thus giving the community no voice in the interventions meant for them. This arrogance suggests that the intervenor assumes to know and could proffer solutions to the problems of the intended beneficiaries without necessarily consulting them. This is tantamount to a doctor treating a conscious patient without consulting her. It presupposes that the RCP do not know what they need. However, NDDC staff argue that since the politicians, the presumed representatives of the people are involved (as Ward 12 actors), the community has been involved. Nevertheless, to assume such and thus limit community participation in C&P to Ward 12 elites suggests naivety or deliberate scheme to cover up the Bhis. Marginalising the entire community people this way entrenches the power imbalance between the Ward 12 and the community people. According to a respondent,

These things [interventions] can only be brought through our big men outside. …we can do the writing thing but if there’s no follow-up from our elite people in the township, they don’t care. They don’t, they don’t care at all (visibly dissatisfied). Because when they were making the roads, we said look, we wanted more roads that will cover certain areas that have not been covered. We wrote that letter but there was no response. — An elderly male beneficiary (retired military man)

Evidently, the NDDC interventions become commodities that the community can enjoy through the benevolence of its elite. Ineffective communication between the community and the Commission ferments dissatisfaction as shown in the elderly man’s visible dissatisfaction. Non-participatory intervention programming is the main support for oppressive intervention. The second way that interventions oppress is in the high-handed manner in which the NDDC personnel, contractors/consultants relate with the community when implementing interventions. Third, oppression manifests in the “promise and fail” syndrome, a situation whereby the Commission promises and delivers less than promised or the case of selective distribution of benefits. A case in point is the Commission’s practice of paying lower stipends than what it promised its beneficiaries in its agricultural capacity-building programme. A case of selective distribution of benefits is evident in the giving of computers to the leaders of agitators in its computer training programme. This is captured in the view of an elderly female beneficiary,

…the people that came to train promised them that they would give them because…they delayed them in their farming work, they said they will give them 15,000 (Naira) each but they only brought one, one thousand to them. And they said that they heard that they have paid the money into their account and they contributed some amount of money, but still they have not seen anything. – Female Respondent, farmer late 50s or early 60s

The threat of and the use of force against disappointed and protesting beneficiaries is another form of oppressing the community people. This comes in the form of arrest of protesters and exploitation of the community’s fear of repetition of the 1999 massacre and fear of further bad publicity for the Odi Community. According to trainees of the agricultural programmes, the Commission asked beneficiaries to form cooperatives in order to access start up loans. After they spent money forming the cooperatives, the Commission failed to make good on its promise.

So, our boys went over to NDDC. They locked our boys, arrested them, locked them. We had to contribute money here again to go and release them. — Male beneficiary, a politician

Oppressiveness is also evident in the real threat of blacklisting any community the Commission considers troublesome— a decision that is entirely at the Commission’s discretion. Community people’s fear of losing potential interventions, a fear mainly entertained by the community elders, which is regularly exploited by the Commission and its contractors. A protesting community stands the risk of being blacklisted as a “trouble-maker.” This comes with the possibility of stopping the intervention and allocating it to another community as a punishment to the “hostile” community. The fear has become an instrument for pacifying or sometimes beating youths to submission in legitimate and illegitimate agitations. Elders, on the other hand, have become placid. The attitude of the elders is expressed in a participant’s response below.

…anything about development, I don’t want any conflict. Anything that will bring development…there should be no conflict at all because these are things you are not, eh, benefiting from before. Like a community over this way, in the thirties or so, they could have been the first Ijaw…town to get a road but because of their hostility this thing, they [benefactor] withdrew and I think that school that was to be established there too was moved, the utensils were moved to Government College Umuahia. I was told that they are now trying to find the roads now by themselves…Something that could have benefitted the whole community in the thirties, see the development that were missed…manpower development, if that thing has been there since the thirties…that’s what I continue to tell the youths, anything about development, don’t hinder, don’t hinder. Because you will benefit in the long run. — An elderly male elderly beneficiary

The “allow development to take place” attitude, though commendable, is an effective exploitative instrument in subduing the community youths even at such time when they have legitimate reasons to assert their rights as stakeholders in the intervention. According to the Youth Council President:

Sometimes they [the NDDC] will also say that eh, if they [contractors] come to a place and if the community is trying to make trouble, they should pack out of that…community and the project will come to an end. Then our community leaders will now fear. ‘We don’t want what will make this company leave this place o, and all the rest, so nobody to ferment trouble.’ [The elders will] say ‘This company is not going anywhere.’ Company that is looking for their job, they will not go. So sometimes our leaders too, out of fear and maybe their level of understanding, sometimes, you know, do certain things in a different manner to the benefit of the company. You’re not even killing the company; this is what they are supposed to do. Then the leaders will now say ‘Leave this people o, if you worry them too much, if they carry their properties away, we have lost the work. This one that has come we should it — Youth Council President

The Odi 1999 massacre has also been exploited as an instrument of oppression in the NDDC intervention programming in the community. It has a restraining and mollifying impact on the Odi community, thereby making the community to be careful in protesting, even when they have legitimate reasons to do so. It has been employed as self-restraint by the youths themselves or by the elders against the youths. The memory of the incidence is still very real in the community. Though it might have attracted sympathy from NGOs and probably, the NDDC, nevertheless, it appears to also be a source of oppression. Community participants reported:

…you know, because something like Odi is said to be a volatile community because of the 1999 massacre and all those things…people are a bit very careful. They are very, very much careful about what happens. But I know that the project…the light [electricity] own [agitations] happened because of youths and contractors. That project was almost suspended for one year because of eh, crisis like that. — Male Secondary School Teacher

So, it is youths within themselves, they [say] ‘look remember what happened in our community. The town was just burned down. If we do anything now, they’ll say we have started. That intimidation! Ah you people have started again; can’t you people learn from your mistakes? We’ll call FANTANGBE’ [a special security task force squad]. And people will say please instead of innocent people to die…(laughs). So, People are intimidated. So, you only grumble if you don’t want open confrontation with the special force, you mellow down. Because if you don’t take time, what they will do is selective picking[arrest]. — Male Secondary School Teacher

...and when you just think about this community and say if you do anything now, the name will now go up again that Odi people are trying to come up again, all those stuffs. That thing for [will] hold us still and you just stay. — Odi youth council executive

The fear of bad publicity for the community therefore restrains the community people from protests. The relatively few intervention-triggered protests are those that reached the breaking point. Even at that, these were still mellowed down by the effect of the 1999 massacre.

### Divisiveness of Intervention

Intervention is by nature divisive. This may be due to the fact that it has its goals and become goals of several actors simultaneously. Intervention triggers greed or the desire to satisfy needs among actors thus inspiring them to deploy their resources in contest for it. In a context characterised by conflict where actors are already primed and possess soft and hardware for conflict, intervention becomes another goal for which actors compete, creating winners and losers, successful and unsuccessful, the happy and the unhappy. Hence divisiveness is inherent in intervention. In the NDDC intervention in Odi, divisiveness takes the form of unintended effect of intervention and a deliberate divide and rule strategy by the NDDC and its contractors.Intervention divides the community people right from the stage of informing them about it. For instance, the Community Development Committee Chairman reported, “Anything that’s outside the community was where I was involved. So, anything they are doing within the community they don’t want to tell me….”

The comment shows that he feels that there were deliberate attempts to leave the CDC out of the scheme of things in NDDC intervention. The women leader shares similar feelings. Also, the NDDC intervention causes division among and within families. For instance, job opportunities and supply of construction materials split members of families donating land for the intervention. Selective fulfilment of promises to beneficiaries (or “settlement”) of HCDPs also constitutes a form of divisiveness of intervention. As noted by respondents:

…like we that benefited from them, you know, we are very happy. But those people that did not benefit from them, some of them are not happy.

And they [NDDC] promised that they will pay them some amount of money but the head ones [leaders], that is, the higher ones, ah, they don’t…, she doesn’t know whether they bring them money or they did not bring. But they [other beneficiaries] hear that they brought the money and people eat [embezzled] the money. — Elderly female beneficiary, farmer.

The one person [NDDC computer skill trainee], which I came across, he told me categorically that the NDDC promised, so with agitations they only settled persons in the frontline. So that there will be no pressure on them. — Male beneficiary, graduate.

We always tell them [youths] that this is a development programme. NDDC comes with development. NDDC is not an oil Company that you will say because of this and that... Allow development to take place. Allow development to take place [for emphasis].

Also, through a ‘divide and rule’ strategy, the NDDC contractors deliberately divide the community for their selfish interest.

…the companies even pay him [former youth president]…so that they [contractor] will take the youth president to themselves so that if there is any conflict that is trying to arise from the youth group in the community, you know that the president will know… — Youth Council Executive

The NDDC interventions divide. Competition and conflict over the resources of intervention create winners and losers from the C&P stage (among the influential actors) and at the implementation stage among community people. It divides the influential actors in the Black hole of interactions at the C&P stage. At the implementation stage, it regularly pitches groups in the community against each other— women group against the traditional council, women against men, thus dividing the community people along gender lines; the youth against the traditional council. It also divides the community along the traditional Asanga-Tamanga geographic line. The division penetrates to the family level as family members are pitched against each other in an attempt to appropriate direct and indirect benefits of the NDDC.

### Geniuses of Conflict Transformation

There are prominent traditional and contemporary institutions and/or groups in Odi Community that actively participate in cultural, economic, political and social activities of the community. They are therefore inevitably involved in the NDDC interventions brought into the community. These include the Traditional Council, the Youth Council, the Women Group and the Community Development Committee. These groups frequently have divergent goals as regards the NDDC interventions. However, they have evolved norms, processes and practices that enable them to manage intervention-triggered competition and conflicts arising among themselves, other members/groups in the community or between Odi and other communities to ensure a peaceful genius loci for the community. These groups and their activities including the norms, processes and practices governing them and their relationships constitute the geniuses of intervention-triggered conflict transformation in Odi. Essentially, they constitute Mary Anderson’s local capacities for peace. However, the Commission does not make deliberate effort to strengthen these capacities, rather, it inadvertently and sometimes deliberately weakens them. The geniuses have the credit of keeping Odi peaceful in spite of the NDDC’s peace and conflict blind approach to intervention programming in the community.

### Conclusions

Certain phenomena are critical in understanding the nature, causes, and dynamics; and the short-term and the long-term implications of the interactions of the NDDC intervention and Odi context. The NDDC interventions are perceived as resources by various actors. Thusperceived, it compels actors’ mobilisation to compete and contest for its benefits. Actors’ mobilisation drives the interactions of intervention and context thus impacting the causes, profile and dynamics of context. Hence, the perception of intervention as resources— the resource status of intervention— is the epicentre and driving force for the ICIs in Odi Community. Moreover, individualsand groups in Odi experience likely deprivation, which is a pervasive psychological and social-psychological feeling of high possibility of deprivation of the NDDC benefits except they struggle and fight for it. Odi has influential individuals (Ward 12) who, for various reasons, lobby the NDDC for interventions on behalf of their community. The desire to appropriate the NDDC resource leads to intense interactions among influential actors— the Black hole of interactions— which is supported by endemic bad governance and corruption in the NDR. The Black hole exerts strong negative influence on the entire intervention programming cycle making the intervention programming non-participatory for the resident community people.

The Bhis leads to phenomenon such as the malevolent charity-beggar relationship, which is an acute power disequilibrium characterising the Commission-Community relationship in the intervention programming. This relationship manifests in the form of oppressiveness of intervention and leads to divisiveness of intervention. However, geniuses of conflict transformation exist in Odi, mediate the conflict inducing impacts of the NDDC intervention in the community to ensure that the genius loci of the community are peaceful. To minimise the negative impacts of the NDDC intervention in Odi requires shifting the power disequilibrium in favour of the community. This will involve active participation of the RCP (as represented by leaders of the four cardinal groups in the community) throughout the intervention programming.

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