

State Responsiveness to Public Security Needs: The Politics of Security Decision-Making

Nigeria Country Study

Okechukwu Ibeanu and Abubakar Momoh



About this study

Security sector reform (SSR) has moved rapidly up the international aid agenda during the past decade. There is growing recognition that SSR is fundamentally a political activity and that, to be effective, external assistance must be carefully tailored to the political and institutional context in which it is being delivered.

This Nigeria study was part of a comparative research project (which included Sri Lanka and Uganda) which had two aims: firstly, to enhance understanding about who makes decisions about security, the factors which influence decision-making, and the consequences for the security of people; and secondly, to suggest ways of incorporating such knowledge more effectively into UK SSR programming.

The study was conducted by the Conflict, Security and Development Group at King's College London in collaboration with the Centre for Democracy and Development in Nigeria, the Social Scientists' Association in Sri Lanka, and the Centre for Basic Research in Uganda.

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The Centre for Democracy and Development (CDD) is an independent, not-for-profit, research, training and advocacy organization based in Abuja, Nigeria. Established in 1997, CDD's primary mission is to be a catalyst and facilitator for strategic analysis and capacity building for sustainable democracy and development in the West African sub-region. Dr Jibrin Ibrahim, who managed the Nigeria research study, is Director of CDD.

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CSDG's **Governance and Security** programme is concerned with how international assistance in the security domain (notably the SSR agenda) can be better tailored to the political context and the needs of aid recipients.

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Acronyms and abbreviations

AFRICOM	Africa Command
AG	Action Group
ALF	African Leadership Forum
ANPP	All Nigeria People's Party
CDHR	Committee for the Defence of Human Rights
CDS	Chief of Defence Staff
CLO	Civil Liberties Organisation
CSO	Civil Society Organisation
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
GWOT	Global War on Terror
IPCR	Institute for Peace and Conflict Resolution
MASSOB	Movement for the Actualization of the Sovereign State of Biafra
MEND	Movement for the Emancipation of Niger Delta
MOD	Ministry of Defence
MOU	Memorandum of Understanding
MPRI	Military Professional Resources Incorporated
N	Naira
NA	Native Authority
NCC	National Coordinating Committee
NCNC	National Congress of Nigerian Citizens
NEPU	Northern Elements Progressive Union
NGO	non-governmental organisation
NNA	Nigeria National Alliance
NNDP	Nigerian National Democratic Party
NPC	Northern People's Congress
NSA	National Security Adviser
OPC	O'odua People's Congress
OTI	Office of Transitional Initiatives

ORBAT	Order of Battle
PDP	People's Democratic Party
RWAF	Royal West African Frontier Force
SALW	small arms and light weapons
SAP	Structural Adjustment Programme
SMC	Supreme Military Council
SSR	security sector reform
SSS	State Security Services
UK	United Kingdom
UMBC	United Middle Best Congress
UPGA	United People's Grand Alliance
US	United States
USAID	United States Agency for International Development

Chapter 1

Introduction

1.1 Background

Nigeria became an independent state in 1960 after a century of British rule in parts or all of the country, dating to the annexation of Lagos in 1861. Nearly half a century of nation-building later, Nigeria's extended aspiration to nationhood has been punctuated regularly and perilously by deep-seated insecurity, including a civil war in which over a million Nigerians died. Apart from the civil war (1967–70), ethno-communal conflicts, religious conflicts, electoral violence and sundry struggles for natural resources, particularly petroleum resources in the Niger Delta region, have at different times brought the country to a precipice. During a long period of military rule, egregious human rights violations, repression of opposition and terrorization of the general citizenry through misuse of the police, incessant deployment of the military to police duties and widespread impunity arising from protection accorded to 'friends of the military' who committed crimes, created a general atmosphere of insecurity across the country. With time, between a repressive state that lacked legitimacy and a cowed citizenry, a vacuum appeared which was filled by criminals – armed robbery, oil theft, extortion and racketeering – and this has persisted. In fact, a recent study reports that over 70% of inhabitants of Lagos fear that they are likely to be crime victims.¹

One plausible reason for the persistence of insecurity may well be that Nigeria has spent more time on nation-building and far less on state-building. Consequently, the capacity of the Nigerian state to respond to insecurity has repeatedly appeared to be suspect. This is not only because of limited capacity to enforce the law, but also because of the limited accountability of officials. In other words, the entire institutional framework for security in Nigeria has been fragile. Among the factors accounting for this fragility is dated laws, for instance the Police Act, which was enacted in the 1930s by the colonial government, and remains the basis for policing in Nigeria. Repeated agitation by the public and advocacy by civil society organizations for a new Police Act has been stalled by political manoeuvres and posturing and lack of political will on the part of government.

Continuing agitation for a renegotiation of the Nigerian state by its constituent elements, which in recent times has been manifested in demands by localities for increased control of their natural resources, agitations for autonomy and self-determination in many parts of

1 Alemika, Igbo, and Nnorom, *Criminal Victimization*.

the country, and tensions around religion and the secular credentials of the Nigerian state, have further weakened national institutions, leading to even greater government reliance on extraordinary measures to ensure security, such as counterinsurgency forces, security task forces and government-sanctioned private armies. These agencies are usually empowered to use unorthodox measures and operate without clear engagement rules. For instance, in the case of the deployment of military forces in Odi, Rivers State, in 1999, the president empowered them to shoot on sight. Paradoxically, these extraordinary measures, ostensibly designed to achieve security, have actually increased a sense of insecurity among the populace and undermined public security institutions such as the police.

Lack of security for life and property has assumed a crisis dimension in Nigeria. Indeed, it has almost become an intractable problem since the general elections of 1983. Government after government has used various approaches to manage or control the security crisis, yet no solution is in sight. The methodology has remained the same: vote more money to purchase vehicles and equipment, recruit more policemen and give orders for arbitrary arrest, urge all arms of security and intelligence to collaborate in ways that permit those dealing with intelligence and counter-intelligence to dabble in security matters and vice versa, as is the case between the Nigerian police and the State Security Services (SSS). The failure of what we call the orthodox or statist approach to security issues has called into question its continued employment. As such, scholars and NGOs interested in security issues have begun to seek alternative, democratic, people-friendly and more inclusive means of tackling Nigeria's security crisis.

The dimension of the security crisis can only be appreciated when it is historicized and placed within its changing context. The security crisis in Nigeria has colonial origins, specifically in the nature of the colonial state, its legitimacy crisis and its preoccupation with 'Law and Order', which threw up a specific state superstructure, state personnel and institutions to achieve those objectives. The goal was to overcome the legitimacy crisis and to achieve the extractive, accumulation and taxation objectives of the colonial state. Hence under colonial rule, revolts and resistance against taxation were common features and perhaps the biggest threats to the colonial state. Historically, what was defined as constituting 'insecurity' varied from colonial to post-colonial contexts, and the social forces that constituted a threat to security also varied. It will be useful to understand such contexts, the various social forces they threw up, their objectives and how they attempted to subvert or maintain security in their era. It should be stated that for both the colonial and the post-colonial states 'security' has had an unchanging and fixated meaning. Security is about the state; it is both the prerogative and obligation of the state and its controllers to protect themselves.

It is in this context that the Nigerian army and police emerged.² Their structure was originally unified; their goal was ensuring law and order. If a legitimacy crisis was the basis for the pursuit of 'security' under the colonial era, the crisis of militarism was the basis for the vulnerability of the state in post-colonial Nigeria. Militarism was not restricted to the military; civilian rulers also internalized the nuances and mind-set. Underlining the principle of militarism is arbitrariness and highhandedness; a lack of respect for due process or the

2 See Tamuno, *Police in Modern Nigeria*.

rule of law. The various conflicts and crises in Nigeria, including the Nigerian civil war which gave birth to the rising crime rate of the 1970s, were all rooted in the culture of militarism.

1.2. Outline of the study

This report is divided into six parts to wit: Introduction; Origins of insecurity; Responses to conflicts and insecurity; Sources and evolution of security decision-making; Dynamics of security decision-making (case study analysis); and Lessons/policy messages.

The first section outlines the format, methodology, aims and objectives of the report. The second section provides an overview of the problem of security in general, by illuminating how the Nigerian state and political elite define and understand security, highlighting what has historically constituted insecurity in Nigeria, particularly noting its nexus with conflicts. The third section examines responses to conflict and insecurity, principally but not exclusively how the state has responded to insecurity over time, in both process and operation. Section 4 lays bare the sources and evolution of security decision-making since colonial times. Clearly, although security decision-making in Nigeria has evolved principally around the colonial and post-colonial states, as well as the political regimes and issues they have thrown up, increasingly non-state security decision-making around the activities of private security providers, irregular forces and sectional militias has become important. Section 5 explores the dynamics and develops a matrix for understanding security decision-making in Nigeria that integrates both state and non-state decision-making and institutional relationships. The section draws from six case studies, namely, the deployment of troops in Zaki Biam, the involvement of Military Professional Resources Incorporated (MPRI) in military reforms, irregular forces in the Niger Delta, the Hisbah Islamic group in Kano, the Bakassi Boys in eastern Nigeria and the O'odua People's Congress (OPC) in western Nigeria. Finally, Section 6 offers some lessons and policy options.

1.3 Aim of the study

The aim of this study is threefold³. First, to show that between 1900 and 1994, security decision-making was a state preoccupation, although the issue of provision of security in general was not an exclusive state affair. It will be shown that from 1995 onwards, the economic, social, communal and political challenges that Nigeria faced threw up a complex security dynamic which made non-state security actors visible and relevant, thus eroding the state's monopoly of security decision-making by pointing to its limits and necessitating the need for non-state actors in the security sector.

3 This study is part of a broader comparative research project on the 'Politics of Security Decision-making' funded by the UK Government and coordinated by the Conflict, Security and Development Group at King's College London. This study includes case studies of Nigeria, Uganda and Sri Lanka. The overall aim of the project is to generate new insights into how security decision-making works in different contexts and to contribute to more informed Security Sector Reform (SSR) interventions by external actors.

Second, using six micro studies, we will identify the key flashpoints and/or threats to security over time, thus constituting insecurity and pointing to the problem of lack of capacity of the state; this in turn questions a state-centric approach to security decision-making in Nigeria. The challenge or outcome has been the partnership between the state and foreign security agencies and professionals and with non-state actors, in some cases.

Third, we will develop a matrix and framework for security decision-making based on the case studies. It will provide a framework for partnership between state and non-state actors in security decision-making. What the case studies illuminate clearly is that non-state security decision-making has become quite important in Nigeria, generating both cooperative and competitive tendencies between state and non-state security decision-making. By non-state security decision-making we mean decision-making processes, structured or unstructured, involving neighbourhood groups, community leaders, religious and ethnic groups, age-grades, vigilantes and NGOs that are concerned about security of their homes or sponsor-community. The advantage of this is that it reinforces the need for greater partnership in security decision-making between state and non-state actors.

1.4 Methodology

The study uses a multi-layer approach. With respect to the main report, it is based on:

- i) review of extant literature on the flash points in Nigeria that raised security questions for the state;
- ii) government records, gazettes or documents;
- iii) memoranda on security submitted to the government;
- iv) workshop reports; and
- v) informal discussions with army and police officers.

The case studies relied on a combination of approaches, including the use of:

- i) structured-interviews;
- ii) questionnaires;
- iii) focus group discussions (FGD);
- iv) key informant interviews (KII), in-depth interviews (IDIs), participant observation and desk research.

The case studies⁴ are diverse – from the Hisbah in the commercial heart of Kano, to the O’odua People’s Congress (OPC), the Bakassi Boys in the eastern part of Nigeria, the Niger

4 There were six case studies covered by this report, of which only one of them is focused on a state/formal structure decision-making matter, on MPRI. All the other cases were grounded in either quasi-state actors (Hisbah and Bakassi) or non-state actors (OPC and irregular forces in the Niger Delta). Julie Sanda of the National War College covered MPRI, Yunusa Yau covered the Hisbah Islamic group in Kano, Omenihu C. Nwaorgu examined the activities of Bakassi Boys in Abia State, Fidelis Allen investigated the irregular security forces in the Delta region, and Abubakar Momoh covered the vigilante activities of O’odua Peoples Congress in Lagos.

Delta militants in the oil rich region and the controversial MPRI, a foreign security contractor that was introduced into the Nigerian security landscape through arbitrary and non-consultative means, thus undermining the legitimacy and sustainability of its interventions, and posing a big challenge to formal decision-making structures of the state and the professional core of the Nigerian military.

The Hisbah is a religious security monitoring group established by the Kano State government to oversee the implementation/observance of the tenets of Sharia law in various communities in the state. The selection of members and composition of the Hisbah had often been left to the community. However, the Hisbah had basically targeted the poor people and have been over-zealous and arbitrary in their activities often resulting in conflict with both Muslims and non-Muslims.

The Bakassi Boys emerged in Aba, in light of the inability of the state to cope with soaring cases of armed robbery. The Bakassi Boys are very popular and gained recognition across south-eastern Nigeria. Three state governments – Abia, Anambra and Enugu – took interest in their activities; Abia and Anambra states even passed legislation officially sanctioning their activities. As a result, the Bakassi Boys became ruthless, vicious and lawless in their activities.

The irregular forces of the Niger Delta have their origins in the region's clamour for self-determination and control over oil wealth, and the generalized violence thrown up by this clamour. These forces unleash violence, some directed at state officials, oil multinational workers and ordinary citizens. This has involved extortion, kidnapping and the consequent demands for ransom.

The O'odua People's Congress (OPC) grew out of the demand for the de-annulment of the presidential election result of 1993 that had been won by M.K.O. Abiola, a Yoruba. The struggles that followed the annulment of the election gradually witnessed the ethnicization of the de-annulment question. The Nigerian military could not exercise moral authority over the society; it was itself involved in throwing bombs on citizens perceived to be in support of de-annulment. It was in this context of increasing youth restiveness, economic hardship, social tension and insecurity that the OPC formed a vigilante wing to handle the matter of neighbourhood security. The OPC later became factionalized; this proliferated the number of vigilante groups. OPC vigilante groups became dreaded across south-western Nigeria, just like the Bakassi Boys in the east, and much later the Hisbah in the north and the irregular forces in the Niger Delta. The security dilemma in Nigeria thus necessitated the partnership between state and non-state actors and placed a further premium on the need for formal and informal security decision-making approaches in order to meet Nigeria's security challenges.

The writers encountered field difficulties in many ways. For example, with respect to MPRI, though many current serving military officers were opposed to it, they could not speak openly to the researcher due to the prejudice of then President Olusegun Obasanjo. It was also difficult to lay hands on official documents inaugurating the project, including the Memorandum of Understanding (MOU) and targets set for MPRI by the Nigerian government, because all materials are still classified. Indeed, many materials at the library of the

National War College which could have been good resource materials are 'Restricted' and as such cannot be cited for legal reasons. The top hierarchy of the Ministry of Defence (MOD) and the office of the Chief of Army Staff were unwilling to provide official information on the matter. Neither was the National Security Adviser (NSA) accessible to grant an interview over the matter. Everything was shielded in secrecy and censorship.

The researcher who conducted the study on Hisbah relied more on focus group discussions and key informant interviews. Official information and documentation is scant, because beyond the Kano State Edict nothing else had been passed with respect to how the Hisbah should function. Neither were state officials willing to discuss the matter. Members of the Association of Commercial Motorcycle Owners and Riders of Nigeria, who are the major victims of the Hisbah, were unwilling to divulge their true names and identities, preferring to provide information under the cover of anonymity. Ditto for the Hisbah youth, many of whom are high-school dropouts with limited education. They were suspicious about the purposes for which such interviews might be used.

The Niger Delta irregular forces are even more complex subjects for study. Not only is the Delta region militarized by state and the militants, cults and militias; in addition, the irregular forces of the region are security conscious and sensitive, and therefore suspicious of any stranger. Having direct access to the militants in the creeks would require paying huge, prohibitive sums, but even more important is the personal risk posed by such a project. Researchers therefore relied extensively on FGDs, KIIs, useful clues and information from NGOs working on the Niger Delta, and news reports on the activities of militants in the region.

In the study of the OPC, it was discovered that there are many OPC factions involved in vigilante activities. Indeed, the mainstream OPC is not as enthusiastic as its factions over 'professionalizing' vigilante activity. The researcher covering this group focused his study on the main location of the various factions of the OPC, Mushin neighbourhood in Lagos. FGDs and KIIs were conducted with other OPC members and their factions in Somolu. However, IDIs were held with key leaders of the various factions of the OPC involved in vigilante activities as well as neighbourhood and community leaders. However, Fredrick Faseun and Gani Adams, leaders of the most prominent faction of the OPC, were not available for interview: one was out of the country and the other was indisposed due to medical problems. Key officials including the Commissioner for Youths and Sports in Lagos State cancelled interviews at the last minute, due to pressing state affairs. The Nigeria police changed its public relations officer for Lagos State, and the new appointee could not offer any views on the matter.

Many OPC leaders are not interested in the issue of neighbourhood security. For them the politics of the OPC is far more important than its role in security decision-making. They also point to their criminalization by the state, which has made it difficult for them to partner actively on issues of security provision. State officials prefer to be 'silent' about their informal relationship with the OPC, because they fear the federal government may use it politically against them. As such, key Lagos State officials cancelled scheduled appointments.

Generally, there is also a major problem with access to memoranda and reports on security, as well as government white papers on such matters. Even serving members on some of the committees or panels on security did not seem to have copies of their own reports.

1.5 Problematizing security

1.5.1. Formal definition of security

The definition of what constitutes security for the Nigerian state and political elite is traditionally rooted in the state's monopoly and control of all legitimate instruments of coercion, and its ability to contain both internal insurgency and external aggression. Security is seen as the exclusive preserve of the state; indeed, it is treated as a state secret. State security is not often discussed in a democratic manner or perceived as part of the democratization agenda. The state has a conservative view of what constitutes security.

While external aggression is left to the military, dealing with internal insurgency is left to the police. When the latter fails to keep the peace, the military is often invited. Quite often, both have used force: against students on campuses of tertiary institutions, in the killing of Kunle Adepoju at the University of Ibadan in 1971 and at Ahmadu Bello University in 1986; against peasants, as in the Agbekoya uprising over taxation in 1968 and the Bakolori massacre over the government's seizure of land in 1982; against journalists, as in the case of Mr Amakiri in 1973; against workers, during the general strikes of 1945; and more generally, encompassing political and electoral violence during general elections, and so on.

The notion of security is generally confined to 'national security'. National security is equated to state security, and state security is viewed as the security of those who occupy public office. Rarely is national security viewed as the welfare and happiness of the citizens, neither is security viewed as 'community security', 'societal security' or securing the 'common good', defined in the most generic way. In other words, security is viewed in purely state-centric and military terms and not in social and developmental terms; it is perceived as the maintenance of state sovereignty, not in the context of a common humanity and promoting the welfare of the people. In these circumstances, national security often undermines the security of citizens.

Normally, the state should protect, rather than denude the citizen of his or her rights. In Nigeria, the citizen is often the criminal or the criminalized; state arbitrariness and excesses pass unchecked by the law itself – hence the euphemism 'executive lawlessness'. Law enforcement agents can never be wrong. Only those citizens they apprehend daily and charge with 'illegal assembly', 'wandering', and 'illegal procession' in violation of the Public Order Act, can be wrong. The state is viewed as the custodian of the law and the citizen as the custodian of its abuse; the law applies to the citizen and not the state. This one-sided definition of security provided the context for the rise of citizen militancy and affected the culture of the judicature.

The second problem with security in Nigeria is its politicization; that is, politicians' use of state security agencies to further their own interests. As we shall illustrate, the crisis in Tivland, western Nigeria, during the 1964 and 1983 general elections provide ample examples.

Third is the dehumanizing training and poor remuneration offered to law enforcement agents, in particular the Nigeria police. This has turned some officers into corrupt and corruptible officials, even extortionists. Some mount illegal tolls on roads. These roadblocks have become havens for robbing innocent people. This practice thrives because many within the police hierarchy benefit from it. One hallmark of the bad and dehumanizing training received by the police is their relationship with civilians. They treat civilians in an uncivil manner; they search and arrest suspects without a warrant; they detain without trial; and they maim and kill extra-judicially. Some members of the police even have no knowledge of what the law stipulates regarding their own powers and duties.

Nigerian society is structured in ways that make citizens vulnerable. Since 1982, the country has suffered an excruciating economic crisis. This has served as a trigger in facilitating limited economic access for the majority of citizens; it has increased social tension and crime. Prisons have become not rehabilitation platforms, but indoctrination and training grounds for criminals. Reformatories and juvenile homes are scanty. Rehabilitation centres are not constructed in ways that rehumanize criminals; neither do many of such centres connect the project of rehabilitation to reintegration. The lack of Social Safety Nets and social security have made many unemployed youth, both skilled and unskilled, economically disempowered and prone to crime.

The Nigerian state is itself a source of insecurity. State security agencies constitute a veritable threat to the security of the citizens of Nigeria. More often, rather than restore peace and order, they exacerbate crises, ramping up social and political tensions. As a result, the quest for enduring security cannot and is not feasible exclusively through state security agencies and apparatuses. It will take a collective or complementary approach. This is the reason to focus on non-state security decision-making structures. Willet subscribes to this assertion when he criticizes the state-centric and elitist approach to security decision-making. He calls for a shift of attention from the state and the military to human security and a human-centred approach to development, this being the only way to mainstream 'development for security' by focusing on Millenium Development Goals, human rights, minority rights, even development and fair representation.⁵ Indeed, many international governance agencies, including the UN, have adopted a human- and development-centred approach to the issue of security. The additional responsibility this poses is that of a democratic security approach, which not only takes into account the role of both state and non-state security decision-making processes, but also the role of both state and non-state actors. This democratic challenge to the security question has the goal of providing a safe environment for both individual and group interests, and partnership between state and non-state actors.

1.5.2 Beyond the formal approach to security

Security decision-making in Nigeria is complex, comprising very diverse structures, actors and philosophies. Still, it is reasonable to break it down into public (state) and private (non-state)

5 Willet, 'Development and Security in Africa', 112.

security structures. The state and non-state taxonomy, though prone to over-simplification, is preferred to the formal–informal taxonomy that is prevalent in security sector discourses, for at least four reasons:

- First, non-state security arrangements are not necessarily informal in character. Many of them are quite formal in organization and activities. For instance, so-called informal policing, usually consisting of neighbourhood watches and vigilantes, has in many cases developed into well-organized security arrangements that are formally registered and recognized by government. It is the persistent misconception of such groups as informal that is partly responsible for the failure to properly integrate them into security decision-making in Nigeria.
- Second, some public security arrangements are not formalized, particularly counter-insurgency forces, some of which operate underground using informal and unorthodox methods. This was particularly the case during military rule in Nigeria, when the military used various methods, including death squads and the so-called internal security units for counterinsurgency operations, particularly in the Niger Delta.
- Third, to define non-state security arrangements as informal suggests that they are ad hoc and casual in character, when many of them are long-standing and traditional, sometimes pre-dating the public security system.
- Finally, categorizing security arrangements as informal does not help us distinguish between what is legal and illegal. Many non-state security arrangements are recognized by law and regulated by statute. Consequently, we shall adopt the state-non-state rather than a formal–informal taxonomy in this report.

By public security arrangement, we refer to structures and actors that are state-based and governmental in its broadest sense. They are clearly public in character, in that they have responsibility for making collective security decisions for the entire public, not sections of it. By non-state security arrangements we mean non-public structures and actors, some of which are recognized by the state, but a good number of which are not. In fact, some of them may be considered illegal by the state. They include individual/family security provisioning, private security firms, neighbourhood watches, vigilantes, protection rings and cults.

1.6 Three key propositions

Three key propositions define the themes that are explored in this Report.

- The inability of the state, in both colonial and post-colonial Nigeria, to meet societal demands for security as a public good has shown the limits of state-centric security provisioning and therefore increased pressure for security provisioning beyond the state and public sector.
- There is an increasing involvement of non-state actors in security decision-making in Nigeria, sometimes in cooperation and sometimes in conflict with state structures.

- The involvement of non-state actors in security decision-making, while democratizing public access to security, has had a number of negative effects, especially the privatization and communalization of security decision-making. ■

The origins of insecurity in Nigeria

2.1 Colonial administrative origins

2.1.1 The Native Authority

The colonial state was a bifurcated state with dual civil and customary structures. This was the underlining context of indirect rule which gave rise to ‘decentralized despotism’. The customary context of indirect rule was the local government authority represented in the Native Authority (NA). The key goal of the NA was ‘law and order, and efficiency of tax collection. The traditional ruler or chief symbolized and represented the essence of the NA.

Mamdani writes:

As an institution, the Native Authority bore little resemblance to a local administration, say in Britain. Its personnel functioned without judicial restraint and were never elected. Appointed from above, they held office so long as they enjoyed the confidence of their superiors. Their powers were diffuse, with little functional specificity . . . Native Courts, Native Administration, and a Native Treasury – together crystallized the ensemble of powers merged in the office of the chief. . . . these powers also included a fourth: making rules.⁶

This is how Mamdani describes the chief under British indirect rule:

The chief is the petty legislator, administrator, judge, and policeman all in one. Every moment of power – legislative, executive, judicial, and administrative – is combined in this one official. Here there is no question of any internal checks and balance on the exercise of authority. . . .⁷

The chief symbolized a contradictory amalgam of both arbitrariness and the quest to maintain ‘law and order’ through the control of the Natives. This did not solve the security dilemma; it caused it to resurface in more complex forms, often with devastating political consequences.

6 Mamdani, *Citizen and Subject*, 53.

7 *Ibid.*, 54.

2.1.2 The NA in northern Nigeria

In northern Nigeria that role was successfully carried out by the traditional rulers through the emirate system, in which the emir controlled the administrative apparatuses and fused the powers of the judiciary or Native/Alkali courts. In eastern Nigeria the warrant chiefs were the equivalent of the northern emirs or their representatives. As Yahaya succinctly put it:

As part of its regulatory responsibility the N.A. was empowered to make subsidiary legislation, of which there were three types; the making of rules, the giving of orders, and the drawing up of instructions. Of these the N.A. could issue an order on its own authority without the necessity for Government approval. Such orders were legal measures designed to control individual or group behaviour within the N.A. area.⁸

The NA was to make laws regarding the infringement of the rules it put in place and had the powers to impose a fine of a maximum of 100 Pounds or imprisonment of not more than six months, or both. This legislation was enforceable in any court of law, civil or native. Most offenders were taken to the Native/Alkali courts which were under the control of the NA.⁹

The reason for fusing the powers of the NA in the local government system under the British and the Northern People's Congress (NPC) administration was that

. . . if local government was to carry out its responsibility for maintaining law and order adequately, then the instruments of law and order must be integrated into the N.A. system. The police, the courts, and the prisons were therefore seen, from the official point of view as essential links in security commitment.¹⁰

Under the Criminal Procedure Code of Northern Nigeria, the police had extensive powers to arrest offenders. They could arrest a person without a warrant, or take a person on the basis of 'credible' information or 'reasonable complaint' of being involved in a crime. The criminal code did not state explicitly what these clauses meant. It was in this context of arbitrariness that we can appreciate the powers used by the police over the members and supporters of the United Middle Belt Congress (UMBC), the rival party to the NPC in northern Nigeria. The members and supporters of the Northern Elements Progressive Union (NEPU) also suffered a similar fate under the NPC-dominated NA. It is instructive to note an aspect of the Coomasie Commission of Enquiry into the Tiv revolts in northern Nigeria in 1960 and 1964. It states, among other things:

. . . the District Administration was confused . . . they (the Clan and Kindred heads) realized that the power of their appointment and dismissals were in the hands of the NA and not in the hands of the people. . . . This allowed them to become autocratic and oppressive to their people.¹¹

8 Yahaya, *The Native Authority System*, 97.

9 Ibid., 98.

10 Ibid., 99–100.

11 Anifowose, *Violence and Politics in Nigeria*, 134.

2.1.3 The warrant chiefs

In eastern Nigeria, under the principle of indirect rule, the British established warrant chiefs under the local government system. Afigbo demonstrates that during British contact with the east, apart from a few coastal towns and Calabar, there was no area that had a chief (i.e. a political head) with ritual status and genealogical history and acceptance. According to him, 'To be a lineage head one needed not political ability, but free descent, reputation for moral rectitude and generally the right age'.¹² The British ignored all these in search simply of a person 'signifying head' and they moulded that person in the warrant chief. According to Afigbo,

*... the British selected certain natives who they thought were traditional chiefs and gave them certificates of recognition and authority called warrants. The warrant entitled each of these men to sit in the Native Court from time to time to judge cases. It also empowered him to assume within the community he represented executive and judicial powers which were novel both in degree and territorial scope.*¹³

He states further:

*It was thought that through the indigenous system it would be easy to levy direct taxation, for the tax could then be portrayed as customary service levied by the people's traditional rulers. Also if the tax bred discontent the 'chiefs' would act as a buffer between their angry people and the European officers.*¹⁴

Afigbo not only demonstrates that such a mode of rule was alien to the people, he also shows the arbitrariness in the process of selection for the warrant chiefs. In many instances, slaves or ex-slaves, social misfits and so on were appointed as warrant chiefs. This happened in such towns as Okigwe and Onitsha. With respect to the law, following the Native Courts proclamation of 1900, two categories of Native Courts existed: the Native Councils and the Minor courts. The former had more powers and was directly supervised by British colonial officers, while the latter was wholly controlled by the warrant chiefs. The warrant chief sat in both courts.¹⁵

The adoption of the Native Revenue Ordinance in April 1928, as the legal basis for introducing taxation in Warri and the five eastern provinces, led to the fall of the warrant chief system in the east, and in particular the Calabar area where in 1929 strong anti-tax protests led by women resulted in some women being massacred. To the Igbo, to accept the principle of tax was to accept that the British had subjugated them. And the principle of head-count prior to the taxation was abominable to Igbo culture, where only slaves and herds were counted.¹⁶ The colonial government wanted to collect tax in one lump sum, while at the same time creating forest reserves in the east.

12 Afigbo, *The Warrant Chiefs*, 35.

13 *Ibid.*, 6–7.

14 *Ibid.*, 47.

15 *Ibid.*, 84.

16 *Ibid.*, 229.

The people saw this burden as too huge. But the warrant chiefs were to be used to enforce the Ordinance. In 1928 collection went fairly smoothly. In September 1929 Captain John Cook was sent to Bende as Acting District Officer. He urged that records on taxable adult males should be updated with information about their wives, children, goats, sheep, fowl and so on. The news then went out that government wanted to tax women. Some of the warrant chiefs insisted on women being counted for tax purposes. In many villages the women prepared for a showdown with the warrant chiefs. Women concluded that a head-count on them was meant for no other purpose other than taxation. Faced with this, coupled with falling prices for palm oil and kernel and their dislike for warrant chiefs, from Owerri province into Calabar province, women started to revolt. In response, the government used machine guns to shoot women at Utu Etim Ekpo, Abak and Opobo.

The implication of this analysis is that the Nigerian people never relied on the colonial administrative structure and agencies for security. Rather, they created parallel security agencies for intelligence, surveillance and monitoring of the colonial state, its agents, and its informants. They resisted colonialism in all its expressions, including the NA. The colonial masters saw these structures as a security threat.

The divide-and-rule tactics of the British colonial administration were at the heart of indirect rule in Nigeria. The tactics were well suited to the centralized caliphate system in northern Nigeria. (However, divide-and-rule was resisted in western and eastern Nigeria.) The British colonial administration used the Hausa as the core of its security formation in the constitution of what became known as the Hausa Constabulary. Later, this Constabulary transformed into the colonial army of Nigeria.

2.2 Political origins

Politics is one of the most important triggers for insecurity. Various modes of politics, different political ideologies, goals and targets, produce varying forms of engagement or contestation with the state. The most significant of these in Nigeria have been the women's anti-tax revolts of 1929; the 1945 general workers' strike; the Iva Valley massacre of 1949; the Egba women's revolts in 1958; the 1960 and 1962 Tiv revolts; the 1964 census controversy; the general election crisis of 1964–5; the Nigerian civil war of 1967; the Agbekoya revolts in 1968; the Bakolori massacre in 1980; the student massacres of 1978 and 1986; and the annulment of the presidential election in 1993. We discuss below the most significant of these.

2.2.1 The Iva Valley massacre

The Iva Valley massacre took place on November 18th, 1949 when twenty-one coal miners with the Colliery Workers Union were killed on the orders of Assistant Police Superintendent F. S. Philips. They were on a 'go slow' protest demanding the implementation of the Harragin and Miller Committee Reports on improved wages and allowances for workers. The management of the coal mines was unwilling to make any such concessions, and interpreted the strike in political terms: that the industrial disputes were a shield for political agitation for

decolonization. As a result, it was unwilling to accede to the appointment of a mediator in the industrial dispute. The management then invited the police. It claimed that workers were armed and wanted to attack the 105 policemen invited to remove the explosives in the mines with a view to shutting down the mines. Seventy of the policemen had crossed into the mines when a dispute arose between some of the miners and the police. Assistant Superintendent of Police, F. S. Philips, ordered his men to shoot the workers.¹⁷

A Commission of Enquiry was constituted. It found that allegations that the workers were armed were untrue. Arthur Creech-Jones, British Secretary of State for the Colonies, was invited to the House of Commons to explain why unarmed workers were massacred.

The Iva Valley massacre fired the zeal of the Nigerian nationalists to demand immediate self-government. It also further radicalized the Nigerian trade unions and made them more militant in their resolve and commitment to Nigeria's struggle for independence.

2.2.2 The revolts in Tivland, 1960 and 1964

The causal factors of the Tiv revolts of 1960 and 1964 are best expressed in the UMBC petition of March 1960 addressed to the Premier of the Northern region:

- 1) the appointment of NPC loyalists into the dissolved Tiv NA by Tor Tiv when the members of the NA ought to have been popularly selected by the kindred and clan heads, representing their people's wishes;
- 2) the appointment of NPC members as district heads and court members throughout Tivland;
- 3) dismissal of UMBC supporters and appointment of NPC supporters as tax-collectors in place of those dismissed;
- 4) refusal of the NA to grant contracts and trading licences to UMBC supporters;
- 5) discrimination in the award of scholarships by the Tiv NA;
- 6) discrimination in the allocation of jobs to UMBC supporters;
- 7) indiscriminate sacking of clan heads, e.g. Tarka Nachi, clan head of Mbakor; and
- 8) lack of attention to UMBC requests and complaints by NA councilors.¹⁸

Joseph Tarka, leader of the UMBC, later complained of the use of the NA as a weapon of oppression, the mass imprisonment of UMBC supporters, delay or rejection of appeals by UMBC supporters, the partisanship of court presidents, and denial of means of livelihood to supporters of UMBC. These factors among others, he suggested, resulted in the revolts.

In the general elections of 1959, the UMBC had won over 90 per cent of the votes cast in Tivland, against the Northern People's Congress's 10 per cent. In the elections the UMBC had formed an alliance with the Action Group (AG). The NPC was so infuriated about this

¹⁷ Ananaba, *Trade Union Movement in Nigeria*, 108.

¹⁸ Quoted in Anifowose, *Violence and Politics in Nigeria*, 142–43.

defeat that it sacked many NA staff and declared others redundant, including the Secretary of the Tor Tiv, who was a strong ally of the NPC. Similarly, the district officer who was suspected to have passed unfair sentences on UMBC supporters was also dismissed. Many bicycle riders who were UMBC supporters were evicted from their abodes and pushed to unfavourable areas. The Tor Tiv was given more powers to repress his subjects. This resulted in revolts in which NPC supporters' houses were burnt. In all, over 30,000 houses were burned, 20 arsonists killed and over 5,000 people arrested in connection with the revolts.¹⁹

The NPC government forced all Tiv to pay for the damage following the revolts, at a cost of N5.10 per head plus the annual general tax of N4.50 (N9.60 in total). They were given three weeks to pay, and defaulters were to be sentenced to six months' imprisonment.²⁰ The exclusion from the levy of the Tiv clans in Chongo area, who were pro-NPC, created a feeling of discrimination that was resented.

Tiv living in Abansi, Gboko and Katsina Ala (the side of Tivland that was a UMBC stronghold) where no property was damaged, were however forced to pay the levy. Whereas the Tiv living in Makurdi were exempted from the levy, many of them were convicted for participating in the revolts.

With such inconsistencies and arbitrariness, the NPC's political motive was clear. The revered J. S. Tarka was arrested and detained on the orders of the NPC, further spreading disaffection that led to the 1964 revolts.

The NA in Tivland was arbitrary in levelling criminal charges, or in dropping criminal charges against NPC supporters, including staff of the NA. This was the situation with Atedze Tiv, an NA Council Secretary who had a charge of theft levelled against him which was later withdrawn by the Nigeria police.²¹ The courts, too, were arbitrary in their judgements. As a result, Gboko prison became overcrowded, housing about 2,000 prisoners following the 1960 Tiv revolts.

The NA police also became a weapon of oppression in the hands of the clan heads, tax collectors and Tor Tiv. Policemen attached to the courts in Tiv districts were too close to the clan heads. Anifowose continues:

... many of the policemen came to be dreaded and hated by those Tiv who were unlawfully detained on the instructions of one or another of the Clan Heads. One notorious clan Head detained tax defaulters in his own compound where he had a private cell. The Tiv NA Police took little or no notice of complaints unless they were bribed to do so, while they arrested and charged people at will.²²

The crisis in Tivland continued, in spite of the recommendations of the Coomasie Panel of Enquiry, until the military coup of 1966.

19 Nnoli, 'Ethnic Violence in Nigeria', 30.

20 Anifowose, *Violence and Politics in Nigeria*, 128.

21 Ibid., 97.

22 Ibid.

2.2.3 The western regional crisis

The origin of the western regional crisis can be found in Obafemi Awolowo's resignation as premier of the region, in order to move to the federal parliament as leader of the opposition. He had favoured Dauda Adegbenro to replace him as premier, because he had had a political disagreement with Ladoke Akintola, his deputy premier. But by law, Akintola had to fill the vacancy. In due course, Akintola began to align with the NPC, which ran the federal government. This irked Awolowo, who searched for ways to oust Akintola using internal party machinery.

In 1962, AG deposed Akintola from his party office and urged him to resign his position as premier, but he refused. This forced Awolowo's loyalists in the Western Regional House of Assembly, who were in the majority, to send a petition to the governor of the region withdrawing their support for Akintola, and urging the governor to use his powers under Section 33 (10) (a) of the Constitution of Western Nigeria to oust Akintola as premier. The governor complied, and Dauda Adegbenro was appointed to replace Akintola. Akintola then went to the high court of the Western region to challenge this action, but the court transferred the matter to the Supreme Court. Before the court could decide the matter, the House convened to approve the appointment of Adegbenro, and violence broke out. Police used tear-gas against members of the House, dispersed them and locked the chambers of the House.²³

Tafawa Balewa, the prime minister of Nigeria, moved a motion on the strength of the provisions of Section 65 (3) (b) of the Constitution, urging for a resolution to declare a state of emergency in Western region, noting that it was impossible for government business to be conducted due to factionalization within the AG. Awolowo opposed this, claiming that an emergency was warranted only if there was widespread violence in the region, noting that the violence was restricted to the chambers of the House. Awolowo underlined the fact that it was a minority of the members of the Western House who were opposed to the removal of Akintola.

The federal government, however, went ahead and declared a state of emergency for six months, on May 29th, 1962, and appointed M. A. Majekodunmi as administrator of the Western region. Key members of AG belonging to both factions, including Awolowo and Akintola, had their movements restricted. But in no time Akintola and his followers were all released and allowed to move freely. After the six months' emergency rule lapsed, Akintola was returned to power by the federal government, not under AG, but under a new party called the United People's Party, a pro-NPC splinter of AG.

In 1963, the federal government charged Awolowo with treasonable felony and a plot to overthrow the federal government. After an eight-month trial, Awolowo and key members of AG were found guilty. Many of them were sentenced to various terms of imprisonment.

A census conducted in 1962 that favoured Nigeria's southern regions was disputed by the north. This led to a recount in 1963, whose figures were published in February 1964. The new numbers favoured the north. The eastern regional premier, Michael Okpara, rejected the results.

23 Anifowose, *Violence and Politics in Nigeria*, 57.

In mid-1964, in anticipation of that year's general elections, the Nigerian National Alliance (NNA) a coalition was formed. It was made up of the NPC and Akintola's Nigerian National Democratic Party (NNDP). The opposition NCNC/AG coalition was known as the United People's Grand Alliance (UPGA).

The elections witnessed the use of thugs, violence and vote rigging. This caused the opposition UPGA to completely boycott the elections in the Western region and some parts of Lagos. President Nnamdi Azikiwe refused to allow the prime minister to form a government. After much pressure Azikiwe agreed to call for a government that was broad-based, while the courts determined the legality of the election results. The UPGA then agreed to run in the election it had boycotted. In the government that was constituted, the AG was completely sidelined, while the NCNC was given some posts.²⁴

The subsequent Western regional elections, held in 1965, were seen as a test of popularity between Akintola, the serving premier, and Awolowo (who had been convicted and was serving jail term in Calabar). The NNDP rigged the results, with the support of the NPC federal government. The violence that ensued, christened 'Operation *Wetie*', was unparalleled in Nigeria's history. *Wetie* is a vulgarized form of the English 'to wet'. The aggrieved people of the region simply soaked opposition members with fuel and set them ablaze. As Anifowose concludes, '... the Nigeria Police virtually admitted that the task of maintaining law and order in many districts of western Nigeria was beyond them'.²⁵

2.2.4 The Nigerian civil war, 1967-70

The Nigerian civil war, which resulted from the attempt of the (then) Eastern regional government headed by Colonel Odumegwu Ojukwu to secede and form a sovereign state of Biafra, remains perhaps the most profound security challenge that Nigeria has ever faced as a sovereign state. Many explanations have been offered for the war, such as the lopsidedness of the Nigerian federation, ethnic animosities and divisions within the military.

However, crude oil exploration and revenues remains perhaps its most important catalyst. In the light of rapidly rising oil rents, which could potentially put enormous wealth in the hands of the Eastern regional government, it was not surprising that oil became a driving force in the region's attempt to secede. Oil was also significant in the politics of the war in another way: namely, the creation of states and redrawing of ethnic boundaries. On the eve of the war, the federal military government led by Yakubu Gowon changed the administrative structure of the country from four regions to twelve states, two of these, Rivers and South-East States, catering for ethnic minorities in the former Eastern region. Soon after, in May 1967, the Eastern region declared itself the State of Biafra, with a predominantly Igbo ethnic composition (two-thirds of an official regional population of 66 million) and a number of ethnic minorities including the Efik, Kalabari, Ijaw and Ogoni.

The creation of states by the military regime was meant to serve the immediate purpose of undermining support for Biafra in two ways. First, it was designed to alter the Igbo ethnic

24 Ibid., 163.

25 Ibid., 65.

boundary by encouraging a number of groups that spoke dialects of the Igbo language, which are mostly located in the Niger Delta, to abandon a pan-Igbo ethnic identity for new minority identities such as Ikwerre, Ekpeye, Etche, Ogba and Ndoni. The propaganda of the federal government at the time was to cast these groups as victims of the hegemony of Igbo from the 'hinterland'. In so doing, the federal government sought to break Igbo solidarity and weaken the Biafran secession bid.

Secondly, state creation was meant to get other ethnic minorities of the Eastern region such as the Ijaw, Ogoni and Efik to throw in their lot with the federal government. This move sought to build on already existing ill-feelings towards the Igbo among these groups, namely their perceived marginalization and domination by the more populous Igbo. This feeling had already been forcefully expressed to the 1958 Willink Commission appointed by the Rt. Hon. Alan Lennox-Boyd, then British Secretary of State for the Colonies to look into the fears of minorities in the run up to independence in 1960. At the Commission, representatives of eastern ethnic minorities complained about autocratic rule by the Igbo-dominated ruling party in the region, the National Council of Nigeria and the Cameroon, later National Congress of Nigerian Citizens (NCNC), and skewed public service appointments, as well as economic and social discrimination more generally.

While undermining the support base of the Biafran secession was the immediate objective of state creation, its long-term goal was oil. State creation and tinkering with ethnic boundaries served the purpose of *minoritizing* petroleum; that is, making it an ethnic minority resource, by placing the bulk of the petroleum resources of the Niger Delta outside Igbo areas. This was necessary because the secessionist claim at the time was that the petroleum resources assured the viability of an independent state of Biafra. Yet the fact that the Niger Delta's petroleum resources were made an ethnic minority resource did not translate into increased revenue benefits in the post-war era. In spite of their role in swinging the balance in favour of the federal side in the civil war, ethnic minorities of the Delta felt increasingly marginalized by shifts in the system of revenue allocation that progressively de-emphasized the derivation principle and allocated resources on the basis of states. They felt consistently short-changed in the distribution of oil rents in the post-war period.

It should be emphasized that the Nigerian civil war left arms in the hands of many who were not demobilized. It brought social misery. And the end of the war posed Nigeria's first major security challenge, in the form of the spate of armed robberies that followed in its wake.

2.2.5 The Agbekoya revolts

Literarily, 'Agbekoya' in the Yoruba language means 'farmers reject suffering'. These peasant revolts took place in most parts of the cocoa growing, Yoruba speaking Western region, soon after the military takeover in 1966. Agriculture is the region's main means of livelihood and cocoa largely sustained its economy and government. The government lowered the cost of purchasing cocoa from the farmers while at the same time hiking taxes. Gavin Williams summarizes the main causes of the revolts:

... in 1968 the farmers saw themselves as exploited and oppressed by a government that refused to pay fair prices for their cocoa, sent corrupt officials to persecute them,

*denied them the benefits and amenities that they had been promised, demanded higher and higher taxes, and now added a series of further tax demands when the farmers simply did not earn enough to meet their existing obligation.*²⁶

The revolts started in Ibadan district in November 1968, where more than 3,000 farmers, ‘... singing war songs and carrying charms and weapons, had converged on the Olubadan’s palace’.²⁷ The farmers’ main targets were traditional rulers, obas, bales, district council offices and whoever they considered to be a symbol of government oppression. They went to all the major towns in Yorubaland sacking and destroying property, and even taking lives. The ‘farmers engaged armed riot police and troops in battle in central Ibadan when at least ten people were killed’.²⁸ They went to the Ijebu Remo Division where the property and palace of the Odemo of Ishara, Oba Samuel Akinsanya, were set ablaze. Similar revolts took place in Ede, Egba and Oyo towns. Tax collection was stopped and the Ayoola Commission was set up: it recommended concessions for the farmers, but these did not meet their expectations. On July 1st, 1969, the government resumed its tax raids and detention and imprisonment for defaulters.

The farmers came back more forcefully; they ambushed policemen and council officials in Ibadan region. In Ogbomosho the King, or Shoun, Oba Lajide Layode, was murdered. As Williams asserts, ‘in the villages, heads bore more of the brunt of the farmers’ anger and in Ibadan Division the bale (head) of virtually every town and village of any size fled hurriedly to Ibadan’.²⁹ Mass arrests by the government exacerbated the revolts. Following the reports of the death of some prisoners in jail, the farmers unleashed an attack on Ibadan on September 16th, and released 464 prisoners from Agodi prison. The prison overlooks the government house and a military garrison. The police and army then chased the farmers who ran into their rural strongholds and hiding places. After six days of battle, a combined force of the police and army were able to over-run Fada, which was the stronghold of Tafa Adeoye, the leader of the Agbekoya.³⁰

The fiercest battles were fought in southern Osun, Egba and Ibadan divisions, where rural farmers and hunters were recruited to fight. The farmers’ demand for tax cuts and better prices for cocoa came to the fore when Tafa Adeoye later met Adeyinka Adebayo, the governor of Western region. State and society were made vulnerable and insecure.

2.2.6. The annulment of the presidential election, 1993

The annulment of the June 12th presidential election in Nigeria, and the subsequent struggles waged by popular forces, civil society organizations, and NGOs, led to the militarization of society. The response was a campaign of state-sponsored bombings and killings of political opposition. There was rumour of a civil war, and in the panic massive internal migration of

26 Williams, *State and Society in Nigeria*, 125.

27 Ibid.

28 Ibid.

29 Ibid.

30 Ibid., 126.

people back to their native land. Legal and illegal arms were imported on a massive scale by both state and non-state actors. This period also witnessed a struggle for self-determination by a plethora of ethnic and social groups, particularly in the oil-producing minority states of the Niger Delta. It also saw wide use of small arms and light weapons (SALWs) by vigilante groups, militias, cults and militants in their struggles for self-determination.

The struggle for self-determination in the Niger Delta by various ethnic and minority rights advocates has since found resonance in the struggles of other ethnic groups including the OPC and the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), and has given rise to a wider network of self-determination groups chasing political empowerment. Their struggles have often been complementary, or at other times have conflicted. This was the case in the conflict between the Ijaw Youth and the OPC youth in Ajegunle, Lagos; the Sagamu killings resulting from a clash between OPC and Hausa Youth; the Warri conflict, involving Urhobo, Ijaw and Itsekiri youth, over the establishment of local government headquarters; the Ife-Modakeke conflict, also over the establishment of local government headquarters in Modakeke town, instead of Ife town; and so on. The volatile and seemingly unending nature of this violence has to do with the amount of small arms at the disposal of these youth.

2.3. Socio-economic origins

Socio-economic factors lie at the root of various economic problems that have resulted in social unrest. From 1987 onwards these manifested themselves in the form of communal conflicts across Nigeria. These have included the Maitastine religious riot, 1980; the Bulunkutu religious riot, 1982; the Zangon-Kataf crisis, 1987; the anti-SAP revolts, 1988–89; the Kaduna religious crisis, 1989; the Sharia crisis, 2000; the Niger Delta crisis, including the Odi massacre, Odioma killings and Gbaramatu massacre; the rise of militant groups and militia violence, as well as other self-determination groups; the indigene–settler crises over land and political control in Tafawa Balewa, Tiv-Jukun, Ife-Modakeke, Aguleri-Umueleri, Zangon-Kataf, and Andoni-Ogoni; the Warri crisis (Ijaw-Urhobo-Itsekiri); the Ijaw-Ilaje crisis; the Sagamu crisis; and many others.³¹

2.3.1 The impact of socio-economic crises

The adoption of adjustment reforms in the mid-1980s came on the heels of the austerity measures of the Shagari administration in 1982 and the inflationary trends of the period. Inflation, officially 23.2 per cent in 1983, rose to 39.6 per cent in 1984. Unemployment soared as there was massive retrenchment of workers and wage freeze, and capacity utilization steadily declined in industry. The country's economy was overburdened with debt servicing.³² This

31 Of particular note is the crisis in the Niger Delta which conceals the link between socio-economic factors, failure of state security decision-making and the recourse of citizens to other means of security provisioning. The case study on irregular forces in the Niger Delta explores some of these issues in greater detail.

32 Olukoshi, 'The March of Adjustment', 65.

trend continued until Nigeria finally adopted a Structural Adjustment Programme (SAP). The most critical sector hit by this policy pronouncement was the social sector: education, health, rural infrastructure and public services.

The role of the state was redefined and state social responsibility gave way to corporate social responsibility. This shift also meant a move away from state social provisioning to market-led growth through the adoption of commercialization and a privatization programme. The period also had impact on social life and communal relations.

Economic factors, however, are not the only cause for the rise in ethnic tensions, communal conflicts and militia groups. The denial of access to power, militarism and authoritarian rule are also contributory factors.³³

2.3.2 The rise of militia groups and cults

These socio-economic factors have also created youthful social forces such as the Bakassi Boys, the Area Boys, the Egbesu Boys, Plateau Boys, the O'odua People's Congress (OPC) and numerous cult groups that abound in the Niger Delta region, the prominent ones being DeyGbam, DeyWell, Assenasawo, Icelanders, Greenlanders, Vikings, Njamanze Vigilante Group and *Isongufuro*. These cult groups are mostly involved in struggles over territorial control and organized crime: robbery, car theft, extortion and the drug trade.³⁴ The police are unable to engage them either through the use of force or by persuasion. These cult groups are found mostly in Port Harcourt and to a lesser extent in Yenogoa. Some of the youth in these cults join militia groups or mutate into militants in the struggle for regional self-determination.

It is useful to state tentatively that some ethnic militias, as opposed to militia in general and the cult groups, have played positive role in vigilante activities and neighbourhood security. However, many remain janus-faced, straddling the objectives of both social responsibility to the neighbourhood and political responsibility to their mainstream socio-cultural associations. Sometimes these roles contradict one another. Indeed, as has been shown in the case of the OPC, some vigilante groups tend to acquire a professional character that sets them aside from their mainstream socio-cultural association, even though they still receive instructions from that mainstream.

According to Agbu, the rise of ethnic militias can be attributed to 'mass misgivings over perceived political marginalization, poverty and unemployment, collapse of social infrastructure and state welfare programmes as well as the perceived inefficient and corrupt state system'.³⁵ Many militia groups have risen to wage social and political struggles against other social groups or the state, in response to their marginalization.

Zalik, for instance, uses the 'political marginalization' thesis to explain the struggles in the Niger Delta region. She underlines the inability of the government to find a just solution to the crisis, other than unleashing petro-violence to contain it. By petro-violence she means:

33 Adams, 'Ethnic Militias', 97.

34 Joab-Peterside, 'Ethnic Militia in Rivers State', 41.

35 Agbu, 'Ethnic Militias and the Threat to Democracy', 16.

Table 1 Prominent cult and militia groups in Nigeria

State	Militia or cult group
Bauchi	Yandaba Barrack Boys
Bayelsa	Assenasawo Isongufuro Egede Group Niger Delta Vigilantes Niger Delta People's Volunteer Forces
Borno	ECOMOG Super Youths Crack Group
Cross Rivers	Supreme Niger Delta Youth Council Worldwide Black Soldiers
Delta	Kenwemiogbo DeyGbam DeyWell
Kaduna	Yandaba Yantauri
Kano	Yandaba Yantauri Hisbah
Katsina	Yandaba Yantauri
Ogun	Aso Rock Butchers Sugar Boys OPC
Lagos	Area Boys OPC
Rivers	DeyGbam DeyWell Icelander Greenlander Vikings Ku Klux Khan Njemanze Vigilante Group Black Bra (female cult) Bush Boys Niger Delta Vigilantes Niger Delta People's Volunteer Forces

Source: Momoh, 2007

*the joint security imposed by the Nigerian military and oil companies to police their installations as well as the environment of social unrest, communal violence and ecological destruction that surrounds petroleum extraction.*³⁶

From Table 1 it may be discerned that Rivers State has the highest number of active cult and militia groups. These groups are partly a product of the contradiction of oil-based accumulation; however, they also have a life of their own tied to the wider politics of cult groups

36 Zalik, 'Keeping the Peace in the Niger Delta', 69.

on campuses of tertiary institutions. Their objectives are clearly defined: involvement in the illicit drug trade, robbery, and territorial control of neighbourhoods in their intra-cult struggles. Only in this last activity do they connect with the wider oil politics of the region and the struggles of the militant groups. To borrow from Kenneth Omeje, it would be inappropriate to 'oilify' the politics and activities of cult and militia groups just because they are found in the Niger Delta region, where all forms of violence are equally oilified.³⁷

2.3.3 Communal and ethno-religious violence: the limits of state power

Several things are notable about Nigeria's ethnic and/or communal violence. The first is the centrality of land.³⁸ Second, the state security agencies are often aware ahead of time about imminent clashes, but are incapable of stopping the conflicts on account of being ill prepared, harbouring partisan tendencies or for fear of personal safety or massive loss of life. Third, elaborate planning often takes place prior to an attack, and the weapons used in such conflicts are often very sophisticated.³⁹ Sometimes, such weapons are far better than those held by state security agencies. Fourth, post-conflict reconciliation seldom takes place after conflicts and clashes. What happens is that at the end of every conflict the state and donor agencies provide relief materials, a few suspects are arrested and detained, and a Panel or Commission of Enquiry is set up, often headed by a serving or retired judge. It is only in few cases that white papers are written on such reports, and in extremely fewer cases these white papers are gazzetted and made available to the public. In the process, any potential lessons from the conflicts are lost.

It should be noted that with respect to ethno-religious clashes involving Muslims and Christians, experience shows that such clashes mostly start from institutions of higher learning, or are led by students or elites with some level of education or status.⁴⁰

In many ethno-religious or communal clashes, there is a prevalence of the use of small arms and light weapons. The sources of these are obvious: oil-for-weapons exchanges; smuggling of arms through porous borders using corrupt customs officials; the prevalence of returnee ECOMOG soldiers, and retired or demobilized combatants.

2.4. External factors and actors

Oil and Islam have been the two key external factors determining Nigeria's security. Since the Nigerian civil war, external actors that have influenced or taken keen interest in Nigeria's security particularly with oil in mind. Nigeria's shift from its traditional colonial master, first after the war to Soviet Union and then to the United States of America, is to a large extent also determined by the politics of oil.

37 Omeje, 'State, Conflict and Evolving Politics'.

38 Ibeanu, 'Aguleri-Umuleri Conflict', 176. See also Ibeanu and Luckham, *Niger-Delta: Political Violence*.

39 Egwu, Salihu and Kure, 'Communal Conflict', 104.

40 Ibrahim, 'Ethno-Regional Identities', 76.

At present, the strategic role and interest of America in the Gulf of Guinea, a zone in which the French and the Chinese equally have interest, have seen the systematic interplay of oil politics and the instrumentalization of the Global War on Terror (GWOT) by the United States. The GWOT has shaped and redefined the attitudes of the United States, the federal government of Nigeria and the militants of the Niger Delta over what constitutes insecurity, and more pointedly what constitutes terrorism. The situation has also shaped peace initiatives in the region. The declaration of the Niger Delta militants as ‘terrorists’ is tied to the wider agenda of the GWOT, and has exacerbated the crisis in the Niger Delta region. Some of the militia groups are tied to the apron of politicians in the region, and pro-state and anti-state militants and militias groups have emerged. This factionalizing of the groups has made violence the only means to ensure territorial supremacy and control of the creeks and neighbourhoods. This partly accounts for the incessant and recurring violence in the region.

Closely related to the foregoing is Islam, which is at the heart of the escalation of violence in northern Nigeria. This first arose with the implementation of Sharia, and the response of ‘fundamentalist’ youth groups in the north to the US-led GWOT. There has been sporadic and repeated religious violence in northern Nigeria in response to or solidarity with Al-Qaeda. This has led the United States to take a keen policy interest in the rehabilitation and reintegration of restive urban youth and street urchins in northern Nigeria.

A third important external factor is the decade-long role of Nigeria’s soldiers in the Economic Community of West African States Monitoring Group (ECOMOG). Some returnees, particularly demobilized soldiers and ex-servicemen, have taken a keen interest in rural conflicts and communal violence. They have in part accounted for the intensity and ferociousness of inter-communal conflict.

External actors have historically been important in security decision-making in Nigeria. Soon after independence, the Anglo-Nigeria defence pact, which gave Britain a role in Nigeria’s national security, became the source of widespread criticisms and popular demonstrations across the country. The pact was widely criticized as a neo-colonial ploy by the British to continue control over the Nigerian state, and the government of Nigeria’s prime minister, Tafawa Balewa, was openly branded a stooge of the British. The demonstrations that greeted the pact led to its subsequent abrogation.

The Biafra civil war was another important context in which domestic and external factors interfaced in crucial security issues in Nigeria. Both in the build-up to and during the civil war, external forces were active on both sides of the divide. Expectedly, the emergent oil wealth was a central issue for both domestic and external forces in the war, particularly so for international oil corporations. Although oil played only a subsidiary role in the outbreak of the war, it certainly had a direct role in determining its course and outcome.⁴¹ For external forces, particularly multinational oil companies, future control of Nigeria’s energy resources was at stake, and this conditioned their positions on the war. The decision of Shell-BP to pay royalties to the federal side and not to the Biafran side decisively affected the outcome.

41 Luckham and Ibeanu, ‘Nigeria’.

Since the end of the civil war in 1970, external cooperation and assistance have continued to be part of the security architecture of Nigeria. Military cooperation in sundry areas including purchase of arms, training and establishment of defence industries has continued between Nigeria and many countries, some of them with extremely diverse political and military traditions such as the United States, UK, China, USSR and India.

In recent times, external support has been pronounced in security sector reforms. Perhaps the best known is the case of MPRI, based in Alexandria, Virginia, which was established in 1987 by retired US Army General, Vernon Lewis. The Federal Government of Nigeria contracted MPRI in 2000, in the aftermath of military rule, to 're-professionalize' the Nigerian army, focusing particularly on its optimal size, civil-military relations and the role of the military in a democracy.

The MPRI contract elicited vehement opposition from both the public and top military officers, who earlier had seen some of their colleagues retire in a 'purge' of army top brass, described by the new civilian government as highly politicized. The purge included the then Chief of Army Staff General S. V. L. Malu, who later resigned in the heat of the MPRI controversy and whose home-town, Zaki Biam, was invaded in 2001 in an army operation in which Malu's uncle was killed.⁴² As the MPRI case study shows, Malu saw the MPRI contract as imposed, a waste of public funds and undue interference in operational matters of the military; indeed, as an attempt to undermine and compromise the sovereignty, corporate interest and security of Nigeria. The military operation in Zaki Biam amounted to excessive use of force, and this was seen in many quarters as unjustified and unmitigated. The only reason many could adduce for it was General Malu's stand over the MPRI deal. Many senior military officers feigned ignorance of the deal, and Malu equally felt that his position and office was undermined by President Olusegun Obasanjo, who invited MPRI without exhausting internal mechanisms for discussing the cost, benefit or wider security implications of the deal.

The MPRI case may be a pointer to the ramifications for the politics of security decision-making in a context in which the 'commander-in-chief' makes the final decision. But the MPRI crisis has also divided the military: between those who question the continued use of the army in quelling internal strife and communal conflicts, and who fear that these may politicize the army and result in a military coup; and those who see nothing wrong with that. ■

42 Ibeanu and Luckham, *Niger-Delta: Political Violence*, 187.

Responses to conflicts and insecurity

3.1 Appreciating state responses to insecurity

The Institute of Peace and Conflict Resolution (IPCR) in its 'Strategic Conflict Assessment: Consolidate and Zonal Reports' of March 2003 identified five major ways in which the government has responded to security and conflict matters in Nigeria. These are:

- i) *Security response*: this entails the use of force by the police. But it had often failed as a method because many of the communities in conflict are able to overwhelm the Nigeria police. Indeed 'Their lack of capacity to guarantee security has itself encouraged arms proliferation'.
- ii) *Relief response*: this entails the provision and distribution of relief items to victims of conflicts.
- iii) *Political response*: this entails setting up Panels and Commissions of Enquiry. But such panels and commissions often do not have local representation or participation.
- iv) *Economic response*: this may take the form, say, of the establishment of the Niger Delta Development Commission (NDDC), whose goal is to make the Niger Delta develop and in the process achieve peace.
- v) *Social response*: through the enlightenment and mobilization campaigns of such agencies as the National Orientation Agency (NOA).

3.1.1 State policy response

The state has responded to the security crisis through:

- Report of the 1st Presidential Retreat on National Security, 2001.
- Proceedings of the Presidential Retreat on the Electoral Process and Violence, 2002.
- The Report of the Special Security Committee on Oil Producing Areas, 2002.
- The Strategic Conflict Assessment (prepared by the Institute of Peace and Conflict Resolution for the federal government), March 2003.
- Leadership, Good Governance and the resolution of the Niger Delta Crisis (Memorandum submitted by Jonathan Goodluck to President Yar'Adua on the Niger Delta crisis), May 2007.

3.1.2 State response to the security crisis in the Niger Delta

In the Niger Delta region, the federal government has established a joint army, navy and air force patrol codenamed 'Operation Restore Hope'. Indeed, the government has taken a purely militarist approach to the resolution of the Delta crisis. Many committees had been instigated over the Niger Delta question, but their reports have either been ignored or the government has refused to write white papers based on them. These reports include:

- Belgore Panel Report, 1992.
- Dan Etete Report, 1994.
- Popoola Committee Report, 1998.
- Special Security Committee on Oil producing Areas (General Ogomudia Report), 2002.
- Jonathan Goodluck Memorandum on the Niger Delta, 2007.

3.1.3 The Ogomudia and Goodluck reports

The Ogomudia and Goodluck reports contain interesting findings on security issues. Many groups in the Niger Delta seem to be persuaded by their submissions. The Ogomudia Report noted that the security arrangement in the Niger Delta is inadequate and largely uncoordinated, thus exposing crude oil and product loading and discharge facilities, floating storage and off-loading; floating storage offshore; flow stations, installation of refineries, gas plants, tank farms, and crude oil pipelines; products and oil company personnel. The report stated that threats to these items mostly come from 'host communities' and a 'cartel or mafia' comprising highly-placed people who 'run a network of agents to steal crude oil and finished products from pipeline in the Niger Delta region'.

The report suggested two main reasons why it is difficult to effectively police the Niger Delta region:

- i) The youths, in most cases, are armed with sophisticated weapons and are very familiar with the terrain thus making their escape easy.
- ii) apathy on the part of oil companies and communities in the investigation and prosecution of cases e.g.
 - a) cases are not promptly reported to the Police for appropriate action for one reason or the other.
 - b) Chiefs and community leaders do not always cooperate with police in giving information, and
 - c) Some of the Rights of Way of pipelines are not accessible for effective vehicle and foot patrols.

The report identified the vandalism of pipelines and a communal crisis in oil-producing areas as the biggest threats to production, economic boom and security in the Niger Delta. It states:

Police investigations have revealed the following as being the major causes of pipelines vandalism:

- i) Failure on the part of the oil companies to honour Memorandum of Understanding signed with host communities.
- ii) Alleged politics of divide and rule by some oil companies which pitch one community against the other and also promote intra-communal conflicts.
- iii) Land/boundary disputes in areas where oil pipelines and facilities are located resulting in communal conflicts e.g., Okrika/Elem in Rivers state, Ogulagha/Odimodi in Delta state, Ibeno/Eket in Akwa Ibom state.
- iv) Increasing disregard for traditional institutions resulting in the chiefs losing control over their subjects particularly the youths. Some traditional rulers have compromised their positions losing respect in their communities. This has sometimes resulted in the usurpation of leadership in some of the affected communities.
- v) Complicity of some staff of oil companies in the vandalism of pipelines and other oil facilities.
- vi) Involvement of some highly placed, unpatriotic and wealthy persons in illegal bunkering of crude and finished products.
- vii) Complicity of contractors who provide maintenance services along the pipeline.
- viii) Fuel scarcity which encouraged the vandalism for supply of products to the black market.
- ix) Apathy on the part of the oil companies in the investigation and persecution of reported cases.
- x) The liberal disposition of the courts in granting bail to accused persons.
- xi) Unemployment and poverty among the indigenes.
- xii) Ready markets for pipes encourage excavation of pipes which has become lucrative business.

The Obasanjo administration did not issue a white paper on the Ogomudia report. Soon after his swearing-in, President Umaru Musa Yar'Adua urged his Vice, Jonathan Goodluck, to write a memo after attending a workshop on the Niger Delta crisis at the Kennedy School of Government, Harvard University, May 2nd-7th, 2007. This was barely a week after he took office. Goodluck identified what he calls 'immediate symbolic measures'; 'short to medium term Substantive Actions'; and 'Operationalizing a Long Term Strategy'. The memo urged the establishment of a 'Commission process' guided by the 'Consensus Building Approach', with the following elements:

- all-inclusive dialogue;
- wide consultation on the process;
- a clear timetable;

- neutral and credible facilitators;
- a transparent process; and
- legitimate stakeholders' representation.

The security component of the report is contained in its short-term measures, where it underlines the need for 'negotiated discussions with Niger Delta leaders/militants'; 'establishing a federal coast guard and absorb some of the unemployed youths in the region into it'; 'demobilizing and retraining militants to acquire relevant income-earning skills'; 'following dialogue with militant leaders, and in recognition of the need to build confidence and balance the exercise of power, rights and interest, general "amnesty" would be granted in return for cessation of militant activities'.

Ikelegbe argues that the character of the post-colonial state makes it difficult for it to play any meaningful role in conflict management and resolution. He contends:

The character of the state has resulted in the expansion of the institutions of control and repression, enfeeblement of the opposition, constriction of participation, competition and dissent, personalization of decision-making and resources and subordination of the political apparatus to the executive.⁴³

The Institute for Peace and Conflict Resolution (IPCR) established by the government has been more of a research and documentation outfit than a proactive conflict resolution and mediation agency. It has been concerned with security crises and conflicts all over the country, and has organized public discussion and dialogue around them. In by far its most in-depth report, the IPCR identified the neglect of 'early warning signals' as responsible for most political and communal conflicts in Nigeria. It has nevertheless identified a group of actors, groups and individuals, involved in conflict. Its report to President Obasanjo in March 2003 identified them.

3.1.4 The IPCR Conflict Actors Matrix

In its 2003 report, the IPCR identified a number of key actors in conflict matters, as part of a countrywide assessment of conflict in Nigeria.⁴⁴ These actors are important to security decision-making in various ways. They include:

Security actors

- security forces
- ex-servicemen
- mercenaries (foreign and Nigerian)
- vigilantes

⁴³ Ikelegbe, 'Conflict Management in Nigeria', 53.

⁴⁴ Institute for Peace and Conflict Resolution, *Strategic Conflict Assessment*, 36.

Political actors

- political elite
- government/state governors
- political parties and internal factions
- political thugs
- traditional rulers and aspirants

Economic actors

- transnational corporations
- labour organizations
- herders and farmers
- multilateral financial institutions

Social actors

- indigenes and settlers
- ethnic groups
- religious leaders and organizations
- youth
- students (cults)
- militia
- CBOs and NGOs

Connecting actor

- the media

Certainly, some of the social categories identified above are too broad, even obscurantist. For example, what does ‘students (cults)’, ‘political parties and internal factions’ or ‘ethnic groups’ mean? The IPCR did not clearly spell out what they imply or what social category the identified actors represented. Neighbourhood groups, vigilante groups, student unions and women’s groups, for example, were omitted from the matrix, but a large chunk of what constitutes the informal security decision-making group are to be found there.

3.2 Civil society responses to insecurity

Nigerian civil society has untapped potential. However, those organizations involved in peace and conflict issues are at the level of mediation, research and training, with substantial donor support. Many have not transited from the level of activism and advocacy to that of peace-making and peace building.

According to Ikelegbe, the state and other stakeholders find it difficult to trust civil society organizations involved in conflict mediation. He further contends:

... civil society is underdeveloped, feeble, undermined by the state, divided by primordial sentiments and personal differences and pervaded by opportunism, squabbles

*and conflicts. They are poorly organized and managed. They lack resources and have to depend on foreign donors even to hold seminars and run their organizations. They lack accountability and transparency in the management of their resources.*⁴⁵

This seems to be a hasty generalization, and as such is incorrect. Some NGOs and CSOs are into peace and development issues; they mediate among communities, and between the state, oil companies and host communities. Many human rights groups emphasize the rights-based approach to development, within a framework of using dialogue and due process to pursue one's goals. The Civil Liberties Organisation and the Committee for the Defence of Human Rights continue to canvass these principles. It is useful to underline the fact that an antinomian relationship still exists between the state and civil society in security decision-making, peace building, conflict management and resolution. Both the state and civil society tend to play their role independent of each other, rather than in partnership or a complementary role.

Some of the civil society groups involved in conflict management and peace initiatives are:

- National Association of Religious Tolerance (NARETO), 1988
- Pan African Centre for Research on Peace and Conflict resolution (PACREP) and African Strategic and Peace Research Group (ASFRAG) to study and promote research on peace and conflicts, 1990
- The establishment of the 'Conflict Management Network' by the African Leadership Forum (ALF) and Academic Associates Peace Works, 1993
- Nigerian Peace Network, 1999, with representatives from conflict zones such as Zangon-Kataf
- CesPERD, an NGO with interest in peace building and development
- CLEEN, an NGO which has been the most active in advocacy for the reform of the police and democratizing security decision-making, as well as building police-public partnerships
- Conflict Resolution Stakeholders Network (CRESNET), a network of persons and beneficiaries of USAID/OTI conflict management training
- West African Network for Peace (WANEP), 1997
- Our Niger Delta (OND)
- Niger Delta Women for Justice (NDWJ)
- Niger Delta Environmental Rescue Organisation (ND-HERO)
- Host Communities Network

All these NGOs in one way or another have been involved in the process of peace building and conflict resolution. ■

⁴⁵ Ikelegbe, 'Conflict Management in Nigeria', 63.

Chapter 4

Sources and evolution of security decision-making in Nigeria

4.1. Sources of security decision-making

The source(s) of security decision-making in the colonial era were the colonial state, its agencies and institutions and personnel: the Native Authority system, district officers, district police, and the Office of the Governor or Governor-General. Ultimate powers over security decisions rested with the Colonial Secretary of State, based in London.

Locally, the role of native informants and native police was crucial. Similarly, palace police, known as Dogarai in northern Nigeria, were important in hunting perceived enemies of the state and other threats to state security. The colonial and customary courts became important institutions used to persecute individuals and groups perceived as threats to the state.

In this period, the anti-colonial struggle was the principal context of friction and ‘crime’. There was no contending power group to influence security decision-making. Indeed, serious decision-making was challenged and contested only under the moral influence of colonialism. Hence decolonization and anti-colonial struggles encapsulated the challenge to repressive colonial apparatuses.

During regional self-government in Nigeria, beginning from 1954, political party opposition challenged the dominant party in power in the various regions. The major threat to state security shifted from the anti-colonial nationalists to party opposition. Those who sought to influence power in that era included the dominant political party in the region, and the district officers and Native administration in the locality. The Native Authority police became a key instrument of political repression, and therefore of frequent conflict and crisis.

The clamour for local government reforms in the post-1966 politics of Nigeria lay in the fact that the government in power in each region, Eastern, Western and Northern, wielded their influence using regional police and security paraphernalia to suppress opposition. This was successful in the north, partially successful in the east, but failed in Western region. The reason for this failure has to do with the connection between the opposition political party and the central government. In this context, the opposition party led by Ladoke Akintola was able to wield its influence to get the federal government to intervene in the Western crisis, declare a state of emergency and finally impose the opposition to take charge of the Western regional executive, through the imposition of Akintola as premier.

In northern Nigeria, the opposition UMBC of Joseph Tarka was not connected to the central government. As a result it was hounded, and many of its supporters were put in jail. The security decision-making organ at that time was the federal parliament, where all matters relating to state and society's security were discussed. However, the ruling coalition of the Northern Peoples Congress and the National Council of Nigerian Citizens were in support of the declaration of a state of emergency in the west.

The situation was not the same when the Anglo-Nigerian Defence Pact was debated on the floor of the Nigerian parliament in 1962. Perhaps due to popular opposition and mass demonstrations by students and trade unions, both the ruling coalition and opposition parliamentarians opposed the Defence Pact (which could have allowed Britain to retain Naval bases in Nigerian waters and oversee the security of the Nigerian state). In this context, it could be argued that the major forces influencing decision was parliament, whose position was shaped by civil society organizations and active social movements.

Following the first military government and prior to the civil war, the need to keep the country united in the face of increased centrifugal forces unleashed by the January 1966 coup became the dominant concern of public security decision-making. Of particularly importance was the need to control ethnic tensions, increasing calls for secession and rising criminality. In practice, security decision-making had passed from a fractious parliament to a Supreme Military Council in which officers were individually divided by ethnic loyalties and collectively lacked the experience and confidence in handling public security.

With the second coup of July 1966, the strain on public security apparatuses reached breaking point and increased external intervention was required to stabilize security decision-making. Notable were the roles of the British government in trying to support reconciliation and the Ghanaian government in convening the Aburi meeting of Nigeria's Supreme Military Council in 1967. Ultimately, these attempts failed to prevent civil war, which then became the defining issue in security decision-making between 1967 and 1970.

During and after the Nigerian civil war, security decision-making became centralized through a series of decrees between 1967 and 1969, with emergency powers appropriated by General Yakubu Gowon. The Supreme Military Council (SMC) and the National Executive Council (NEC) became the two main sources of security decision-making.

This tradition continued until the return to civilian rule in 1979, when the Senate and House of Representatives created committees on state security and police affairs. The challenges to security during this era were mainly in the form of:

- a) armed robbery;
- b) civil and social unrest in form of students' demonstrations and religious violence; and
- c) political violence and assassinations, such as the killing of Dr Bala Mohammed, the radical political adviser to the governor of Kano State, on July 10th, 1980.

This period also witnessed renewed political ties with the United States, ties that were normalized under the administrations of President Jimmy Carter and General Olusegun Obasanjo, between 1976 and 1978. Due to deteriorating social and economic conditions,

communal and religious violence became a recurring feature. The state's approach to this, particularly under military rule (1984–98) was to remilitarize the state and strengthen the role of the security agencies including the state intelligence service (Nigeria Security Organization, and later State Security Services), the Nigeria Customs and Immigration, Nigeria Police Force and Nigeria Army. However these institutions and agencies became incapable of providing security to communities and neighbourhoods that became insecure as a result of increasing threats from violent ethnic and youth groups or street urchins.

As a result, neighbourhoods, communities and civil society organizations and NGOs began to take interest in community security by engaging in 'security provisioning'. Through local and neighbourhood networks they began to provide security and take an interest in security decision-making. These decisions found both formal and informal inroads into state security decision-making. In some cases, state governments involved communities in establishing state security groups. In other cases the groups and communities tried to influence security decision-making processes.

External influence and impacts on security decision-making has not been as marked as in other donor-dependent countries in Africa. The context for external influence on security decision-making was the Economic Community of West African States (ECOWAS), specifically the constitution of the ECOWAS Monitoring Group (ECOMOG) in response to conflicts in Liberia and Sierra Leone. Subsequently, the need to reprofessionalize the Nigerian army to check incessant military coups and over-politicization gave rise to a partnership between Nigeria's government and US-based MPRI.

The geopolitics of oil, which gave rise to the Gulf of Guinea Commission, has thrown up its own dynamics in form of a need for collective security around the Gulf of Guinea. 'Oil politics' and rising militancy in the Niger Delta region have given rise to a new form of alliance between multinational oil corporations, corporate private security and state security agencies. This complex alliance has found an outlet in the Joint Military Force (JMF) and the funding of Nigeria's state security needs by such oil corporations as Chevron, a company that has been at the centre of conflict with host communities in the Niger Delta.

Finally, in January 2007, the continuing Global War on Terror (GWOT) spawned its own local American initiative, the African Command (AFRICOM). So far, only Sirleaf Johnson, president of Liberia, has assented. It is apparent that in the coming months there will be pressure on many African states to sign on to the concept. One likely consequence is that it will challenge the African peace and security architecture which was approved by the Kampala Resolution of 1999, which found meaning and outlet in the CSSDCA, and which has since been institutionalized under the African Union Commission, resulting in part in the African Standby Force.

4.2. An overview of public security structures and decision-making

The public security system in Nigeria has evolved through at least three separate but related trajectories corresponding to the political regimes that have existed in the country; namely, the colonial, the military and the constitutional.

The colonial security system in Nigeria began essentially as the security wing of the African Company under the leadership of George Goldie. Under Goldie, the African Company sought to secure British influence the Niger area, having bought out and/or merged with a number of British and French companies operating in the area. Through coerced treaties and outright force, the African Company, which in 1886 changed its name to the Royal Niger Company Chartered and Limited, consolidated its rule over vast parts of the hinterlands that later became Nigeria. The same year, it received the Royal Charter, thus legitimizing its activities in Nigeria. It established the Royal Niger Constabulary, a military force that controlled the entire Niger valley, firmly establishing its headquarters at Asaba by 1899. In the preceding thirteen years it carried out sixty-two expeditions overrunning many independent states and kingdoms in what was to become Nigeria. It was the activities of this company, and particularly the security arrangements it established, that enabled Britain to claim control of the Niger area at the Berlin Conference that began in November 1884.

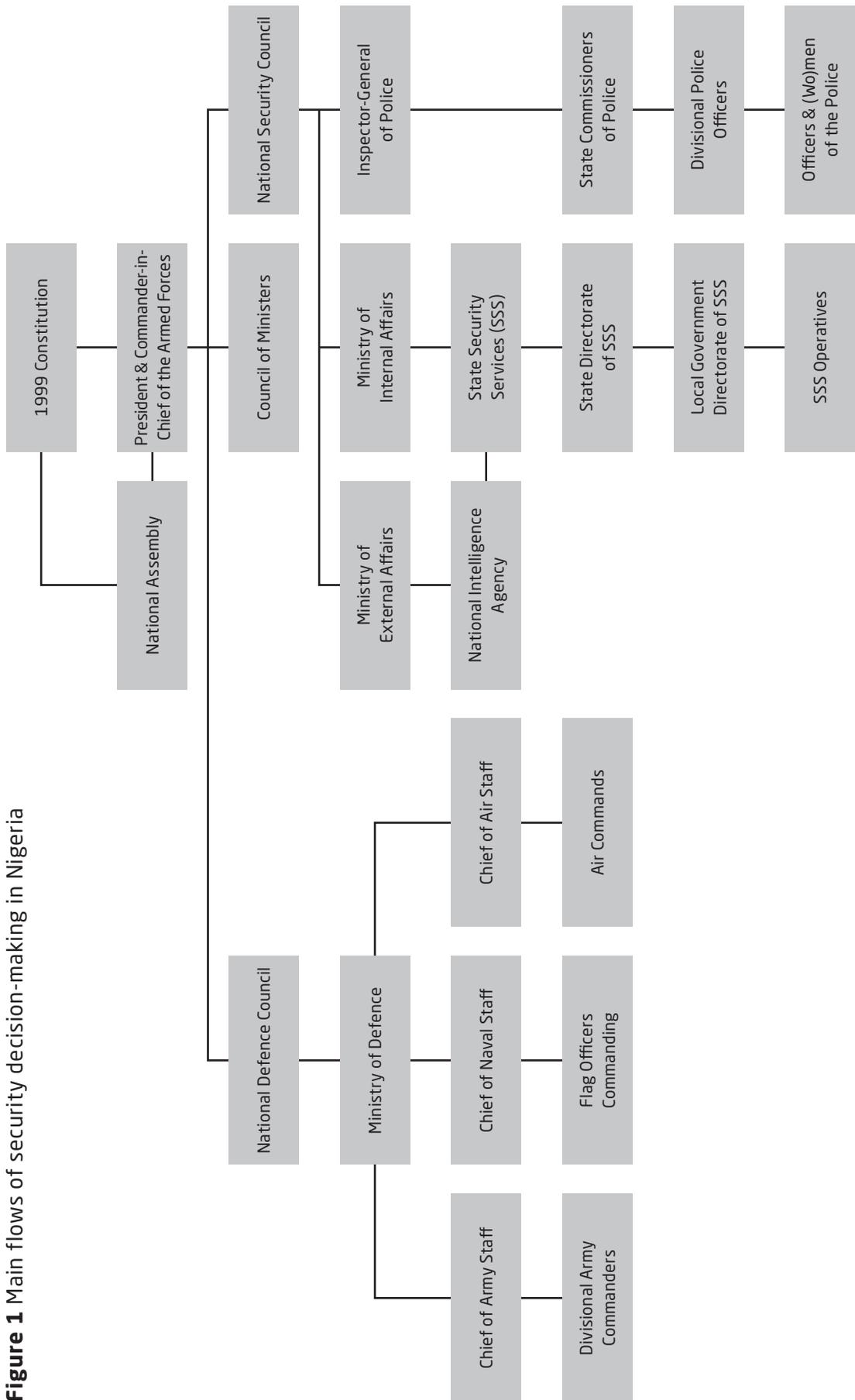
This colonial trajectory later saw the establishment of a West Africa-wide armed force, the Royal West African Frontier Force (RWAFF). The Colonial Office established the force in 1900 with six regiments; namely, the Northern Nigeria Regiment (three battalions), Southern Nigeria Regiment (two battalions), Gold Coast Regiment (one battalion), Sierra Leone Regiment (one battalion) and the Gambia Company (one company). The role of the RWAFF was to consolidate British colonial rule in Nigeria, by pacifying the restive population and extending British influence into the hinterland.

Another major development in the evolution of colonial public security was the emergence of a distinct police force. Established by the Police Act of 1943, the Nigeria Police Force increasingly took responsibility over law and order for the colonial regime. Prior to this the colonial government had left the bulk of policing the 'natives' to the Native Authorities, consisting mainly of traditional authorities in the north and west and the warrant chiefs in the east. These Native Authorities were allowed to raise small detachments of (usually unarmed) policemen to enforce the decrees of the colonial and Native administrations.

Public security decision-making in this colonial context was based on a dialectical bifurcation, which though separate for the natives and colonists, was unified under one overall colonial government. The overall structure lay under the Colonial Office in London, represented by the colonial administration in Nigeria led initially by consuls but from the amalgamation by governors and governors-general. But the Native Authorities remained an important part of this set-up. They were expected to provide security and enforce law and order within the native enclaves on behalf of the colonial administration.

Like under the colonial regime, public security under the military had the principal objective of securing the *regime* rather than the *public*. As a result, the public security arrangement revolved around the military high command, which also became the highest political decision-making body. This Supreme Military Council and later Armed Forces Ruling Council were normally composed of high-ranking military officers. Typically, the membership would include the head of state, the chief of staff from supreme military headquarters, who served as deputy, the service chiefs, the minister of defence, the general officers commanding the army divisions, the inspector-general of police, a number of senior military

Figure 1 Main flows of security decision-making in Nigeria



officials close to the ruling faction of the military, and the attorney general, who was also minister of justice.

Under Generals Buhari (1983–85) and Babangida (1985–93) the military consolidated its control over public decision-making. Decree No. 1 of 1984 gave responsibility for defence and public security to the newly created National Defence and Security Council. The Council reported to the Supreme Military Council and had as its members the head of state, the chief of staff of supreme military headquarters, the ministers of defence, external affairs and internal affairs, the service chiefs, the director general of the Nigerian Security Organization, inspector-general of police and other military officers appointed by the head of state. General Babangida consolidated this structure by splitting the National Defence and Security Council into two distinct bodies: the National Defence Council responsible for the defence of Nigeria's sovereignty and the National Security Council responsible for public security.⁴⁶ This dual structure has persisted.

With the return of civilian rule in 1999, the Constitution of the Federal Republic of Nigeria 1999 became the main source of power over public security decision-making. Figure 1 presents a schema of the main flows of public security decision-making. It shows that all decision-making powers derive from the 1999 Constitution. The Federal Constitution places much of the responsibility related to public security decision-making on the federal (central) government. These include responsibilities for the armed forces, the police, the deployment of troops internally and externally and any declaration of a state of emergency. Although state (regional) governments have general responsibility for ensuring law and order in the states, these powers derive essentially from the central government.⁴⁷

The 1999 Constitution carefully balances the powers of the executive and the legislature on security matters. Legislative power over security in Nigeria resides constitutionally in the National Assembly, which has 'power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in Part I of the Second Schedule of this Constitution'.⁴⁸ The Second Schedule of the Constitution, which contains the legislative competences exclusive to the National Assembly, includes arms, ammunitions and explosives, military and any branch of the armed forces of the Federation, as well as the police and other government security services established by law.

In addition to its legislative powers on those issues, the National Assembly is also empowered to approve any decision of the executive branch of government with respect to a declaration of war by Nigeria, the deployment of Nigerian forces and any declaration of a state of emergency in Nigeria. In addition, through various committees of the National Assembly (such as those on appropriations, police, armed forces, etc.), the Assembly main-

46 http://www.photius.com/countries/nigeria/national_security/nigeria_national_security_constitutional_and_p-10037.html

47 The state governor is said to be the chief security officer of the state. However, he has no autonomous powers over the army, intelligence agencies or police, which are federal institutions. This situation has led many governors to argue consistently for the establishment of state police.

48 Section 4 (2) of the Constitution of the Federal Republic of Nigeria 1999.

tains oversight over security matters. It has powers to question political and security officials on matters of security and to hold public hearings. With a number of ex-military officers elected as legislators since 1999, the National Assembly has become more assertive in its role in security decision-making, a situation which sometimes brought it into disagreement with President Obasanjo. For instance, a good number of National Assembly members opposed the declaration of a state of emergency in Plateau State in 2004.

For its part, the presidency is the highest executive security decision-making organ in the country. The president takes the lead in public security decision-making, assisted by the Council of Ministers, the Council of State, the National Defence Council and the National Security Council, which act in advisory capacities. Below this level we find the armed forces, focusing principally on controlling external aggression, and the police and intelligence agencies, which focus on internal order.

In addition to these 'hard security institutions' there is an extensive civil bureaucracy to support and monitor the system. Of particular note are the federal ministries of defence, police, justice and finance, the Office of the Head of Service and the Office of the Secretary to the Government of the Federation. There are also public finance oversight bodies, particularly the Accountant-General and Auditor-General of the Federation. These civil agencies have varying degrees of impact on security decision-making depending on their statutory role and the character of individuals heading them. For instance, in 2003–04, the Acting Auditor-General of the Federation, Mr Azie, conducted an unprecedented auditing of all federal government agencies, including the security forces, despite resistance from government. The report of the audit widely indicted financial accounting systems and the handling of ammunitions. He later lost his job over the report, whose circulation was tightly restricted by the federal government.

The 1999 Constitution distinguishes three aspects of security and assigns responsibilities on each to different executive organs and officials. These are:

- Public order.
- Defence of the sovereignty and territorial integrity of Nigeria.
- Public security.

The Council of State advises the president on public order, the National Defence Council advises on 'defence of the sovereignty and territorial integrity of Nigeria', while the National Security Council advises on 'public security'. Section 153 of the 1999 Constitution establishes these three bodies as federal executive bodies, which are not replicated at the state level. Consequently, security is regarded as essentially within the competence of the central government.

In terms of composition and role, the Council of State consists of the president as chairman, the vice-president as deputy chairman, all former presidents and former heads of the government of Nigeria (including military governments), all former chief justices of Nigeria, the president of the Senate, the speaker of the House of Representatives, all the state governors and the attorney-general of the Federation. The Council of State has the specific

security role of advising the president ‘whenever requested to do so’ on the maintenance of public order across the country or any part of it.

The National Defence Council comprises the president as chairman, the vice-president as deputy chairman, the minister of the federal government responsible for defence and four military officials (namely, the chief of defence staff, the chief of army staff, the chief of naval staff and the chief of air staff). The Council also has such other members as the president may appoint. According to the Constitution, the National Defence Council ‘shall have power to advise the President on matters relating to the defence of the sovereignty and territorial integrity of Nigeria’.

Finally, the National Security Council has the president as chairman, the vice-president as deputy chairman, the chief of defence staff, the ministers of the federal government charged with responsibility for internal affairs, defence and foreign affairs, the national security adviser, the inspector-general of police and such other persons as the president may appoint at his discretion. In terms of role, the National Security Council advises the president on matters relating to public security, including matters relating to any organization or agency established by law for ensuring the security of the Federation.

Two security agencies are specifically established by the Constitution, namely the armed forces and the police. Section 217 of the 1999 Constitution establishes the armed forces of the Federation of Nigeria consisting of an army, a navy, an air force and any other arm that may be established by the National Assembly. The functions of the armed forces are: defending Nigeria from external aggression, maintaining its territorial integrity and security its borders, as well as suppressing insurrection and acting in aid of civil authorities to restore order.

Section 214 of the Constitution establishes a police force for Nigeria and abolishes the establishment of any other police force in the country or any part of it. The Nigeria Police Force is under the inspector-general of police, who is appointed by the president on the advice of a Police Council. State police formations are under commissioners of police who report to the inspector-general. In terms of decision-making, the Constitution provides that the president or such other minister of the government of the Federation as he may authorize may give to the inspector-general of police such lawful directions necessary for maintaining and securing public safety and public order as he may consider necessary. Also, the governor of a state may give to the commissioner of police of that state such lawful directions for maintaining and securing public safety and public order within the state, as he may consider necessary. However, the commissioner of police may refer such directions issued by a governor to the president for clearance. Given the centrality of the army and police to security decision-making in Nigeria, they require further detailed presentation.

4.3 The Nigerian Army

In 1863 the imperial governor of Lagos, Lt. John Glover (Royal Navy), collected eighteen northern Nigerians to embark on the first punitive expedition to protect British trade around Lagos. This group was later transformed into the Hausa Constabulary, and much later (in

1901) became the West African Frontier Force (WAFF). The constabulary had a force of forty men, which increased to 600 in October 1863. The Hausa Constabulary became a regular force in 1865 and became known as the Lagos Constabulary. It was charged with both military and police duties. When it was incorporated into the WAFF, it constituted the Lagos Battalion. By 1923, the Nigerian regiment was made up of 70 per cent northerners (of which 60 per cent were Hausa-Fulani and 10 per cent pagans) and 30 per cent southerners.⁴⁹

When Queen Elizabeth II visited Nigeria in 1956, the northern and southern regiments were merged and named after her, becoming the Queen's Own Nigerian Regiment. Soon after military autonomy was granted to the Force, in 1956, the QONR was renamed the Nigeria Military Force. In 1960 this was changed to the Royal Nigerian Army; when Nigeria became a republic in 1963, the RNA became known as the Nigerian Army.

At the time when the civil war was declared in 1967, the army had 5 divisions. Currently, it has infantry, mechanized formations and units spread across 99 barracks in Nigeria. It has 71,548 soldiers, 2,979 of them filling the officer ranks and 68,569 soldiers. The Order of Battle (ORBAT) prescribed a total of 8,819 officers for the army, meaning there is a shortfall of 5,940 officers (or 66 per cent). Similarly, the ORBAT recommends 86,578 other soldiers, whilst the current strength of other soldiers is 68,569 – a shortfall of 18,009, or 20.8 per cent.

Nigeria's army incorporates the following institutional structures: a chief of defence staff, chief of army staff, nineteen training schools, joint defence institutions such as the Nigeria Defence Academy, the National War College, the Armed Forces Command and Staff College, and the Nigerian Army Resettlement Centre, later renamed the Nigerian Armed Forces Resettlement Centre. It was initially created in 1982 to rehabilitate civil war casualties, and offers soldiers various training courses and programmes prior to their retirement or discharge. By December 1982, the centre had trained over 8,000 disabled soldiers and 1,745 able-bodied men.⁵⁰ The army, navy and air force have separate commands and structures, each headed by the most senior officer, known as a chief.⁵¹ The chief of army staff is directly responsible for the 1st, 2nd, 3rd, and 81st divisions and the 82nd mechanized divisions.⁵²

The Nigerian civil war (1967–70), described as requiring 'Police Action', provided a major test for the Nigerian Army. During Police Action, the Police were used in the 'collection of intelligence, manning several sensitive areas, including supply routes, borders and frontiers'.⁵³ However, Police Action became inadequate and degenerated with the Biafran attack on Benin, resulting in a full-scale military response from the federal government. By the end of the war, in January 1970, about two million people had been killed on the Biafran and federal sides.

Events leading up to the civil war, and its aftermath, illustrate how ethnic calculations have become central to insecurity and are widely perceived to shape the functioning of the

49 Peters, *Nigerian Military*, 58.

50 Jemibewon, *Military, Law and Society*, 47.

51 Yaqub and Muhammad, 'Nigerian Armed Forces', 21.

52 Ibid., 20.

53 Inyang, 'Peacekeeping in Nigeria', 71.

Nigerian army. In the last years of colonial rule, the Nigerian army was widely seen as a career for educationally under-achieving young men. Nevertheless, by the first few years of independence, a growing number of educated young officers had emerged. Mostly trained abroad, many of them had seen the inevitability of an increased political role for the army. This thinking was itself fuelled by ethnic political leaders whose calculation was to raise a crop of officers from their homeland who would be loyal to the ethnic group and, by extension, to them, the ethnic leaders. Hence, the Nigerian army was transformed from a mere career into a prop for ethno-political factions.

However, this strategy soon backfired. From initially being a prop for ethno-political factions, the army quickly became a contender for power. In doing this, soldiers adopted the ethnic calculus to which ethnic leaders had exposed them. Initially, ethnic political factions enlisted the military; subsequently, military political factions enlisted ethnicity. This stage came to a head in the civil war, which pitted federal soldiers led by ethnic Hausa-Fulani and Yoruba against the secessionist army dominated by the Igbo.

The army's 'successful' prosecution of that war under its own political direction, rather than that of civil authorities, served to establish it from 1970 onwards as an important political force. Among other things, it further undermined civilian political control of the army. Huge personal wealth acquired by individual officers from war contracts and massive post-war reconstruction underscored the demise of the civilian. Officers began to feel they were not only masters of violence, but also masters of politics and successful business entrepreneurs. A politicized future for the army became guaranteed, thereby undermining its professional role of securing the public.

It is against this backdrop that the repeated coups in Nigerian since 1966 can be seen. In January 1966 some young 'Five Army Majors' attempted a military coup. In the aftermath of this coup attempt, in which many northern (ethnic Hausa-Fulani) politicians were killed, General Aguiyi Ironsi took power, terminating civilian rule. This was followed by another coup in July 1966, which many saw as a counter-coup to the January coup attempt, and which heralded the government of General Yakubu Gowon. Gowon conducted Nigeria through the civil war until he was overthrown in July 1975. General Murtala Mohammed became the new head of state. After only six months in office he was killed in an attempted coup in February 1976, so his second-in-command General Olusegun Obasanjo became head of state.

General Obasanjo ushered in civilian rule in October 1979, but this was short-lived as the military took power again in December 1983. General Muhammadu Buhari became head of state, but was in turn toppled by General Ibrahim Babangida in a palace coup in August 1985. Babangida ruled until August 1993 when he had to step-aside following the ill-fated annulment of the presidential election of 1993. An Interim National Government (ING) was inaugurated with a civilian head of government, charged with conducting fresh elections. However, it was overthrown by General Sanni Abacha, who ruled from November 1993 until his death in June 1998. This paved the way for General Abubakar Abdulsalam to become head of state. He only stayed eleven months in office before handing power to a civilian administration headed by President Olusegun Obasanjo, in 1999.

Fayemi shows that Nigeria's security policy, state-centric as it was under successive military administrations in Nigeria, first gained coordination and coherence under General Murtala Mohammed, during what is often termed the Mohammed–Obasanjo administration. The duo were able to reorganize and subsequently reduce the size of the military by 100,000. Under their leadership, defence production, procurement of weapons and training assumed a more coherent and professional outlook.⁵⁴ The Buhari administration, Fayemi notes, did not have a strategic security policy, preferring instead to spend in traditional areas. Babangida was more concerned about institutionalizing military economic interest than building a strategic security policy. As a result, many officers became politicized and corrupted by power. Above all they amassed enormous illicit wealth. This reached its zenith under Sanni Abacha.

Although there is a widespread *perception* of ethnicization in the Nigerian army, there is inadequate empirical *evidence* to confirm this. Hence, while there is an ethnic tendency among the military political elite, it may not have permeated the rank and file. For instance, during the Abacha era, the Hausa-Fulani, contrary to popular opinion, did not populate all the key military formations and top hierarchy of the army. Indeed, the Yoruba had more senior army officers during the Abacha era than the Hausa-Fulani. However, the dominant military political elite, and therefore the most vocal ideologues, of the Abacha regime were Hausa-Fulani. But their social base was weak, in spite of their political sagacity and activism.

Claims of politicization and ethnicization notwithstanding, the army has participated successfully in peacekeeping operations under the ECOWAS Monitoring Group in Liberia and Sierra Leone; and in Darfur under the auspices of the African Union. It has also participated in UN peacekeeping missions in the Congo and Lebanon, among others. Indeed the Nigerian army has been among the most prominent in peacekeeping missions run by the United Nations, coming second only to India. In each of these missions, the army acquitted itself well, and until recently many Nigerians perceived it as a check on the excesses and corruption of civilian politicians.

4.4 The Nigeria Police Force

The Lagos Police Force was established in 1861, the Armed Hausa Police or the Northern Constabulary in 1900. The Lagos Police Force was absorbed in 1906 by the Southern Police Force.⁵⁵ By 1906 the southern and northern parts of Nigeria had two separate forces. This remained so after Lugard's amalgamation of 1914. They were, however, unified in 1930 with headquarters in Lagos. In 1960 a Police Council was established to administer the force. The Police Service Commission was also established with the powers of appointment and discipline over members of the force. Before 1964, the inspector-general of police was a British. Louis Edet became the first indigenous inspector-general in April 1964.⁵⁶

54 Fayemi, 'Entrenched Militarism', 213.

55 Igbinoia, 'Police Administration in Modern Nigeria', 32–33.

56 Atta, *Legacy for Nigeria Police*, 17.

The police were used to quell many revolts, including the Aba women's revolts against taxation under colonial rule; the Egba women's revolts against the poll tax; the African Civil Servants Technical Union strike and the general workers strike of 1945; the Burutu workers' strike of 1947; the Enugu colliery strike that led to the Iva Valley massacre of 1949; and the political disturbances of 1953 following the visit of NCNC delegates to Kano over the constitutional crisis.

During the 1960 and 1962 Tiv revolts, the Northern People's Congress used the state police against opposition United Middle Belt Congress supporters in Tivland. The police arrested over 5,000 people for offences such as 'murder, arson, rioting, damage to property and injury to person. Of these, 3,882 were convicted among whom was the leader of the AG-UMBC, Mr. J.S. Tarka'.⁵⁷

Local police were used to attack opponents under the Western and Northern regional governments,⁵⁸ among them minorities from southern Nigeria. These episodes made southerners clamour for a central police force to overcome the arbitrariness of the regional police forces.⁵⁹

During the civil war, the police Special Branch collaborated with the military 'against subversion, sabotage and espionage'. They ensured that many federal installations were not attacked. The police's bomb disposal unit also helped in spotting the Biafran -made bomb known as 'Ogbunigwe'. After the war, argues Inyang:

*A general appeal was made to the populace by the government to surrender their arms and ammunition to the Police. In order to recover those arms that were not surrendered, Special Police squads were set up to trace and recover them into custody. In spite of this effort, not all arms and ammunitions were surrendered or recovered. A new dimension in armed robbery surfaced. This could be traced to unemployed erstwhile rebel soldiers, particularly the renegades and criminals among them who failed to surrender their arms.*⁶⁰

On March 20th, 1975, the federal government issued circular No. 6/1975 granting the option to withdraw or disengage from service on attainment of ten years in the force. This encouraged many experienced hands to leave. Conversely many people were unwilling to join, and the government had to lower requirements for entry to ensure mass recruitment.⁶¹ This affected the quality of the police; this has remained so ever since.

In 1979 the Shehu Shagari administration created the Police Mobile Force as a wing of the presidential escort, and a similar unit was created for state governors. A 'Police Orderly' was approved for the Senate president, and the speaker of the House of Representatives and Houses of Assembly. Also under Shagari, the Nigeria Security Organization (NSO) acquired notoriety. This continued into the administration of Muhammadu Buhari. In 1985, the NSO was renamed the State Security Services (SSS), but the arbitrary arrests and detentions continued.

57 Inyang, 'Peacekeeping in Nigeria', 67-68.

58 Gboyega, 'Local Government Administration'.

59 Igbinoia, 'Police Administration in Modern Nigeria', 34.

60 Inyang, 'Peacekeeping in Nigeria', 74.

61 Ibid. 76.

On February 26th, 1980, the Dutch Westminster Dredging Company was robbed of N126, 195.65. The police swung into action by arresting many suspects, out of which sixty-eight were charged under the law on 'wandering' and put on trial at a magistrate's court in Lagos. The suspects were conveyed to court in a truck which had no adequate ventilation (popularly known as the 'Black Maria'), and fifty died in the van. At the tribunal set up to investigate the tragedy, the few survivors narrated gory stories of torture at the hands of the police. The nine officers involved were prosecuted on the strength of a petition written to the federal government by the Nigeria Bar Association (NBA). What took place in court was a mockery. According to Unobe:

*The prosecuting state counsel suddenly turned a defence counsel and argued for the defendants and against herself. She told the court that she as prosecution counsel had failed to prove any prima facie case against the accused to warrant their having to defend themselves. She then prayed the court to discharge and acquit them which the court did.*⁶²

The Maitastine (1980) and Bulunkutu (1982) religious riots, in Kano and Borno respectively, were quelled by the police with the assistance of the army. Police lost a total of seven officers and thirty-five men. Sunday Adewusi, then assistant inspector-general of police in charge of 'B Department', led the attack on Maitastine: the riots killed 4,177 Nigerians, and 1,276 were arrested.⁶³

The Nigeria Police has been reorganized many times. At present it has eight zonal headquarters, thirty-six police commands and five directorates: the directorate of finance and administration, directorate of logistics and supply, directorate of operations, directorate of training command, and the Federal Intelligence and Investigation Bureau (FIIB).

The major police strategy towards tackling security issues is through mass recruitment of men, not quality personnel, equipment, retraining and collaboration. The subject of public-police partnership (PPP) is still very new and contentious. Strategic quarters in the force are still opposed to it. The same applies for 'community policing'. This is because the police, like other law enforcement agencies of the state, have a statist and orthodox definition of what constitutes crime and crime policing. The police force remains a major perpetrator of crime, and as such is implicated in the discourse of crime. What constitutes 'community' remains a contested terrain.

4.5 Nature and sources of non-public security decision-making

There have been three main moments in the development of what we broadly call private security arrangements in Nigeria. What they share in common is that each arose out of gaps in public security decision-making structures in the face of increasing crime, particularly

62 Unobe, 'Government Lawlessness', 66.

63 See Tamuno, *Police in Modern Nigeria*; and Okere, *Modern Police Force*, 72.

since the 1980s. The most long-standing of these three is the neighbourhood watch or vigilante. Vigilantes are self-help security groups created, funded and operated by neighbourhoods, villages or even entire towns. They are funded through the compulsory levying of members, who also take turns to watch the neighbourhood, particularly at night. Over time, however, vigilantes and neighbourhood watches have become more formally organized, sometimes with elected officials who hire and train their security staff. Increasingly, vigilante groups require police permission and even formal registration to operate.

The history of vigilantes lies in traditional self-help social provisioning. One of the transformations wrought by colonialism was the creation of cosmopolitan towns and cities in which the welfare conditions of Africans, and their security, were poor. Resort to traditional self-help strategies to social provisioning was common among African inhabitants, and vigilantes were the expression of this tradition in providing security.

Since colonial times, neighbourhood watches and vigilantes have spread as a result of persistent low police capacity adequately to keep the populace safe. With the crime rate rising from the 1980s, particularly armed robbery, ever more vigilante groups arose in towns and cities to compensate for police inadequacies.⁶⁴ The numbers, importance and profile of vigilantes have increased tremendously since then, as precipitate declines in government revenues led to cuts in social spending and the axing of public services, including reductions in public security personnel. In a recent survey conducted in Lagos, Nigeria's most populated city, 81 per cent of respondents said that vigilantes operated in their communities, most of them indicating that they paid the vigilantes for their services.⁶⁵ Even villages are increasingly resorting to vigilante security groups.

The second moment in the mapping of non-state security structures in Nigeria was the growth of private security companies. Like the rise in vigilantes, private security companies arose particularly in the 1980s to serve the perceived need to provide more professional security services to private and public establishments and homes. Encouraged by government as a market-driven security solution, private security agencies mushroomed in many cities. Generally, they are uniformed but non-arms-bearing, and draw largely from the pool of retrenched workers from the armed forces and police.

Private security companies provide security services for a fee, and competition among them was presumed by government to increase their efficiency. They were expected to focus on fighting small crimes such as housebreaking and car theft, thus allowing the police to concentrate on serious crimes such as armed robbery and murder. However, these expectations have not materialized, principally because of the enormity of criminal activity and insecurity increasingly occasioned by a poor record on social development. Moreover, many private security companies could not manage the cost of providing such services without support from the government. Consequently, only a handful of them are currently providing such services, generally to banks and financial institutions where they serve as lightly-armed security guards.

64 Alemika, 'Police Corruption', 445–94.

65 Alemika and Chukwuma, 'Criminal Victimization', 4.

The third moment in the trajectory of private security arrangements was the emergence of armed militias. The failure of market forces to guarantee adequate provision of security has contributed to a sharp increase in crime, widespread fear among members of the public of becoming victims, and consequently the search for alternative means of security provisioning. By the end of the 1990s, following years of military rule and popular struggles for democracy, armed militias were emerging in different parts of the country stimulated by a cocktail of socio-economic conditions (poverty, unemployment, rapid urbanization, etc.). While some claimed to represent particular ethno-political tendencies, others purported to have more general social role such as moral–ethical reorientation. Among some of the better-known ethnic militias are the O’odua Peoples Congress (OPC), the Bakassi Boys, the Hisbah, the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), the Niger Delta People’s Volunteer Front (NDPVF), and the Niger Delta Vigilantes (NDV).

One thing the militias have in common is that they are highly politicized. While some like MASSOB canvassed specific political agendas from the start, others like the Bakassi Boys were politicized gradually over time. Yet others began with political agendas which were subsequently modified over time. For instance, the nucleus of the Niger Delta Volunteer Force led by Mujahid Asari Dokubo were initially supporters of the ruling People’s Democratic Party (PDP) but subsequently embedded themselves in the wider Niger Delta struggles for resource control and environmental improvement.

With the growing popularity of these militias, it became inevitable that the public would ask them to provide the crucial social function of security. So, as their agendas increasingly came into conflict with mainstream politics, the militias sought relevance in other spheres, including providing security for a public increasingly wary of public agencies. ■

Chapter 5

Dynamics of security decision-making: synthesis of the micro studies

5.1 The case studies

Six case studies informed the Nigerian national study.

- 1) Deployment of the Nigerian military in the Tiv community of Zaki Biam in 2001 by the Obasanjo government, in which soldiers killed hundreds of villagers and razed villages. This followed the killing of nineteen soldiers initially deployed by the government to help keep the peace between Tiv communities fighting with their neighbours.
- 2) Formation of a dreaded vigilante group, the Bakassi Boys, in Abia State in the 1990s, initially by traders in a market in the town of Aba, but later adopted and supported by the Abia State government. The Bakassi Boys became a major security-providing agency in Abia and neighbouring states for over five years, during which they recorded major successes in ridding the state of criminals, but also indulged in unprecedented brutality against innocent citizens.
- 3) The role of the Yoruba radical political/cultural organization, the O'odua People's Congress (OPC), in providing security in Lagos and some neighbouring states. The OPC ostensibly arose as a response to perceived *marginalization* (exclusion) of the Yoruba ethnic group by northern-dominated military governments, particularly with the annulment of the June 12th, 1993 presidential elections widely believed to have been won by a Yoruba candidate, Chief M. K. O. Abiola. Over time, the OPC extended its role to the provision of security in the city of Lagos, which sometimes brought it in conflict with non-Yoruba residents of the city and with the police.
- 4) Formation of the Hisbah Corps (Sharia law police) by the Kano State government. This was a sequel to the decision by the Kano State House of Assembly to establish a Hisbah Board, following the introduction of Sharia law in the state, which it empowered to recruit 'justices of the peace' to ensure compliance with the Sharia.
- 5) The role of irregular forces in the Niger Delta region in conflicts involving communities, oil companies and the state, particularly following the decision by the leader of Niger Delta People's Volunteer Force, Mujahid Asari Dokubo, to declare war on the federal government and order oil companies to leave the Niger Delta in 2004.

Table 2 Summary description of the micro studies

Micro study	Immediate context	More remote cause(s)
1. Deployment of the Nigerian military in Zaki Biam in 2001	Killing of 19 soldiers by Tiv militia which precipitated a reprisal by the state	Growing pressure on arable land in the Tiv areas and lingering inter-ethnic conflicts in Benue basin involving the Tiv and their neighbours, which successive governments have failed to resolve
2. Formation of the Bakassi Boys (vigilante group) in Abia State in the 1990s	Breakdown of public security in Aba and environs which led to a violent backlash against criminals by local traders	Poor socio-economic conditions and rise in criminal gang activities precipitated by military rule, including support by the military government for criminal gangs, as shown in the Otokoto uprising in neighbouring Imo State
3. Role of O'odua People's Congress (OPC) in providing security	Perceived marginalization of the Yoruba in the political affairs of the country following the annulment of the June 12 th , 1993 presidential election won by M. K. O. Abiola, who is of Yoruba extraction	Poor socio-economic conditions and a growing revival of pan-Yoruba consciousness precipitated by military rule.
4. Formation of the Hisbah Corps (police) in Kano State following implementation of Sharia law in northern Nigeria	The decision by the Kano State House of Assembly to establish a Hisbah Board, following the introduction of Sharia law, which it empowered to recruit 'justices of the peace' to ensure compliance with Sharia	General politicization of religion in the country, particularly Islam in the context of a 'power shift' to the south and perceived resultant threat to 'northern' interests
5. The role of irregular forces in the Niger Delta region with respect to community grievances and conflict between different ethnic groups	The decision by the leader of Niger Delta Volunteer Force, Mujahid Asari Dokubo, to declare war on the federal government and order oil companies to leave the Niger Delta in 2004	Struggles of communities in the Niger Delta for socio-economic development and environmental improvement set in the context of prolonged repression by the federal government, particularly under the military
6. Impact of external assistance on national security reform and policy processes	The federal government's decision in 2000 to contract MPRI to carry out its military 'reprofessionalization' reform programme	Externally-driven agenda of military and security sector reforms in Africa, which portrays these reforms as development aid

- 6) The impact of external actors on national security reform and policy processes, focusing on the federal government's decision in 2000 to contract MPRI to carry out its military 'reprofessionalization' reform program.

Table 2 summarizes these studies, situating them within their immediate and root causes.

The six case studies were selected to provide first-hand empirical evidence on the dynamics of security decision-making in both the public and non-public spheres. However, all six studies point to a general crisis of security in Nigeria, which they variously explain in terms of immediate and remote factors.

The more remote factors point to a general crisis of governance in Nigeria, particularly, though not exclusively, arising from its long periods of military rule, 1966–79 and 1983–99. This failure of governance is reflected in poor socio-economic conditions, communal conflicts and political authoritarianism. In the deployment of troops in Zaki Biam in 2001, following

one cause of the problem was clearly the growing pressure on arable land in the Tiv areas and lingering inter-ethnic conflicts in the Benue basin, particularly conflicts involving the Tiv, the Jukun and the Chamba, which successive governments have failed to resolve. Similarly, poor socio-economic conditions in the land-hungry south-eastern parts of the country, which over the years has experienced a decline in agricultural productivity, phenomenal rise in unemployment and dwindling commercial activities, were identified in the study of the Bakassi Boys in Aba, as the root cause of the rise in criminality that they initially sought to counter. The demands for implementation of the Sharia penal code in Kano, which led to the establishment of the Hisbah Corps, was also linked to 'economic crisis' resulting in 'identity-based politics'.

5.2 Description of decision-making in the micro studies

The micro studies show a mixture of both state/public security decision-making and non-state decision-making. While in some of them decision-making was essentially public, that is made by state and federal governments, others were essentially non-state. In yet other cases, for example with the Bakassi Boys, we find a mixture of state and non-state decision-making.

In the deployment of soldiers in Zaki Biam, the study shows that it was a decision taken exclusively by President Obasanjo in consultation with an inner core of security advisers. These included the national security adviser and the then minister of defence, General Theophilus Danjuma, who is from the region. General Danjuma had been a long-standing friend of President Obasanjo dating from the period both of them served in the military government that handed over to civilians in 1979. The public security decision-making structures such as the National Security Council and National Defence Council were not consulted. Even the governor of Benue State, who is officially the chief security officer of that state, was not fully involved in the decision.

Considering the way the deployment was carried out, the Zaki Biam case raises constitutional issues about this type of security decision. Section 4 of the 1999 Constitution states that the president must obtain the authorization of the Senate before Nigerian soldiers are deployed outside the country. However, the Constitution is less clear about deployment *within* the country. Although Section 218 (1) empowers the president as commander-in-chief of the armed forces to decide on the operational use of the army, sub-section 4(a) of that section also provides that only an act of the National Assembly can define the powers exercisable by the president over the army, including operational use. There is no act of the National Assembly authorizing the president unilaterally to deploy soldiers in a community without the approval of the National Assembly. It is possible that the president sought to derive the power to deploy soldiers in Zaki Biam from his power to declare a state of emergency in any part of the country, as provided by Section 305 of the Constitution. However, the provisions of that section did not in any way comply with necessitating 'extraordinary' measures such as deployment of soldiers.

In the case of the Bakassi Boys in Aba, we find two phases of decision-making. The first, which is popularly referred to as Bakassi I, was strictly non-state. The Bakassi Boys were the

security arm of the Shoe Makers Association in Ariaria Market in Aba, a major commercial city in Abia State.⁶⁶ The Bakassi Boys reported to the formal structures of the Association led by the chairman at the time, Oguikpe Ezeji. Other executive positions included the vice-chairman, secretary, provost and treasurer. The general meeting of the shoemakers elected them. Decisions on the activities of the Bakassi Boys lay with the chairman and his executive. They considered requests to deploy the vigilantes and gave instructions to the operational heads of different cells of the Bakassi Boys. The Bakassi Boys at the time was almost exclusively drawn from young shoemakers, who shared time between vigilante work and shoemaking.

Later, when the Bakassi Boys were taken over by the Abia State government through a law passed by the Abia State House of Assembly, it renamed it the Abia State Vigilante Services. The state government then took responsibility for recruiting, training and remunerating the Bakassi Boys. The Abia State Vigilante Services was a government agency (para-statal) with officials recruited by government. They in turn recruited the operatives. The chairman of the Vigilante Services reported directly to the state governor and received direct instructions from him through his security adviser. In this way, decision-making passed from the original Bakassi Boys to the Abia State Vigilante Services, a government agency.

The O'odua Peoples Congress (OPC), like the Aba Shoemakers, had a well-structured organization under a national president. The OPC has state coordinators in all the 'O'odua States', namely Lagos, Oyo, Oshun, Ogun, Ondo, Ekiti, and Kwara States. Below the state coordinators were local government coordinators and then zonal coordinators, in charge of zones created in different neighbourhoods, particularly in the cities. Zonal coordinators select or appoint the vigilante members, who are in turn accountable to coordinators. Each vigilante group has a head that controls the security apparatus and ensures networking. The National Coordinating Committee of the OPC, consisting of state chapters, which in turn consist of zonal commands, makes policy decisions. However, day-to-day decisions are made between the zonal coordinator, the heads of the vigilante groups and the residents of the neighbourhood. Residents of neighbourhoods sometimes constitute themselves into residents' associations which work closely with the zonal coordinator and heads of the vigilantes to provide logistical support, remuneration and information.

In Kano, the decision to establish the Hisbah Corps originated from the executive arm of government, principally the state governor, following widespread pressure from the Muslim population in the state who wished to follow the earlier example of Zamfara State. The Ulama, the body of Muslim clerics, was at the fore of the demand for Sharia and the establishment of the Hisbah Corps to enforce the Sharia Penal Code, which was passed by the Kano legislature in 2000. The governor set up the Shura Committee and charged it with the responsibility of articulating a policy on Hisbah. The Shura consisted of fifty members hand-picked by the governor. It was not a representative body, but composed of people ostensibly knowledgeable in law, especially Islamic law, including twenty-eight Islamic scholars, eight academics, four judicial officials, three retired civil servants, one ex-policeman and three businessmen, among others.

66 Meagher, 'Hijacking Civil Society'.

Table 3 Summary of decision-making processes in the cases

Micro study	Type of decision-making	Overview of decision-making
1. Deployment of the Nigerian military in Zaki Biam in 2001	State: Federal Government	President Obasanjo and his close security advisers, particularly the national security adviser, made the decision. The issue was discussed in neither the National Security Council nor in the National Defence Council. Moreover, the National Assembly did not define in an act that such deployment of the military is a power exercisable by the president as required by Section 218 (4a) of the 1999 Constitution. Above all, there was no state of emergency in Benue State requiring 'extraordinary' measures as provided for in Section 305 of the Constitution.
2. Formation of the Bakassi Boys (vigilante group) in Abia State in the 1990s	Mixed: Initially non-state (Shoemakers in Aba) but later adopted by Abia State government	The Bakassi Boys were initially the security wing of the Shoemakers in Aba. It was the chairman of the Association of Shoemakers who also ran the vigilantes. Later, the Abia State government established a 'new' Bakassi Boys, named the Abia State Vigilante Services, which took directives from the government through the chairman of vigilante services
3. Role of O'oduua People's Congress (OPC) in providing security	Non-state but increasing cooperation with Lagos State government	OPC has a National Coordinating Committee (NCC) headed by the president. Below the NCC are the state chapters, which are made up of zonal commands and which in turn are made up of neighbourhood committees. State chapters are under state coordinators; zonal commands are under zonal coordinators who are in charge of neighbourhoods. Residents in each neighbourhood usually have an association which works with the zonal coordinators to pay and equip OPC neighbourhood vigilantes and to provide them with information.
4. Formation of the Hisbah Corps (police) in Kano State following implementation of Sharia law in northern Nigeria	Mixed: Kano State government and Islamic leaders	The decision originated from the executive arm of government, principally the state governor, following widespread pressure from the Muslim population led by the Ulema, the body of Muslim clerics. The government established the Shura Committee, whose report became the basis of a bill sent to the House of Assembly. Without public hearings, the House hurriedly passed the Hisbah Bill establishing the Hisbah Corps as the enforcement organ of the Sharia Penal Code it passed in 2000.
5. The role of irregular forces in the Niger Delta region with respect to community grievances and conflict between different ethnic groups	Non-state: Militia groups in the Niger Delta are firmly anti-state	Decision-making in ethnic militias was not studied in detail.
6. External assistance to national security reform and policy processes: MPRI	State: Federal government	Essentially decided by President Obasanjo after consultations with the US government. Senior military and political officials were not consulted. In fact, chief of army staff at the time, General Victor Malu, who comes from Zaki Biam, openly criticized the decision. It is widely believed that his departure from the army was principally as a result of his disagreement with President Obasanjo on MPRI and other decisions.

After its deliberations, the report of the Shura was then proposed as a bill to the State House of Assembly, which subsequently passed it into law in November 2003. Yau notes about the passage of the bill that:

At the State House of Assembly again there was no public debate or engagement. There was no public hearing on the law. The Bill itself was quickly passed by the State House of Assembly and transmitted to the Governor who accented to it almost immediately. The whole process from the establishment of the Shura to the signing of the Hisbah Law took less than five months. . . . Records in the State House of Assembly show that the Bill was forwarded to the House on 28th October 2003. The Governor accented the law on 7th November 2003. . . . even at the level of the House, members did not have sufficient time to deliberate on the law. The Amendment to the law, which came into effect in September 2005, was also passed without public hearing.⁶⁷

Finally, the decision to contract MPRI to be the arrowhead of reform for the Nigerian military was principally President Obasanjo's. Although MPRI had been active in Nigeria in the immediate post-transition period as a consultant to USAID, it was during President Obasanjo's consultation tours in Washington that he became sold on MPRI. At the time, the security decision-making hierarchy in Nigeria was in transition. Top military officials and bureaucrats in the ministry of defence were on their way out, following the mini-purge of the military when President Obasanjo came into office, ostensibly to retire officers who had been directly involved in politics and holding political offices during military rule. At the same time, the National Assembly was being established; this fluid situation gave the president wide latitude to decide the MPRI case without any wider consultation with the legislature.

Table 3 provides a summary of these decision-making processes.

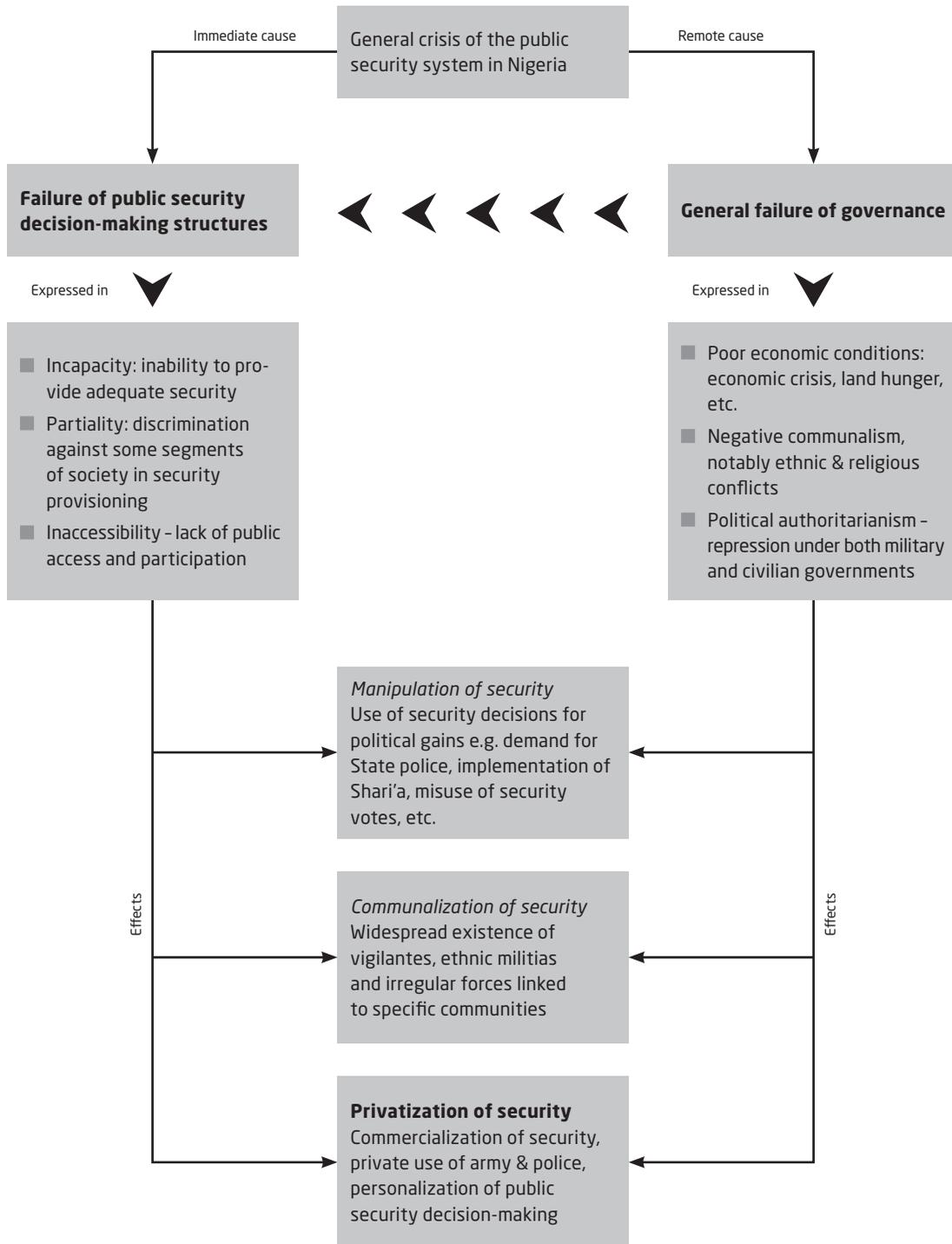
5.3 A synthesis of the micro studies

The micro studies variously locate the crisis of security in Nigeria in a general failure of governance (see Figure 2). This failure is indicated by poor economic conditions in spite of Nigeria's national wealth, negative communalism expressed in ethnic and religious conflicts, as well as political authoritarianism, which persists notwithstanding the return to constitutional rule in 1999. An important component of this general crisis of public security is the failure of the country's public security decision-making structures. This was consistently identified by the case studies as the direct cause of security problems.

There are three related dimensions of this failure in public security decision-making. The first dimension is the *incapacity* of public security provision agencies, particularly the police. Public security agencies are unable adequately to secure the public. In Aba, the birthplace of the Bakassi Boys, law and order simply collapsed in the twilight of military

67 Ya'u, 'Hisbah in Kano State', 6.

Figure 2 Synthesis of the micro studies



rule. By 1998, when the military was in the process of disengaging from government, Aba was practically under siege by criminal gangs. The police, largely neglected and poorly equipped during military rule, was unable to respond. In Zaki Biam, Tiv villagers repeatedly complained about the inability of police to protect remote farming communities from attack by neighbours, while the OPC's claim to legitimacy for its security services is predicated on the inability of the Nigerian police force to police Lagos effectively.

A second dimension of the failure of public security decision-making identified by the studies is the *partiality* of public security agencies. Widespread complaints about discrimination in recruitment into security agencies, favouritism in the posting of officers, and exclusion in providing protection came from various communities involved in the studies. Essentially, different communities, especially ethno-religious communities, see marginalization⁶⁸ in security as an extension of marginalization in politics. This underscores the importance of communalism, particularly in its ethnic and religious forms, in people's perception of public security provisioning. State partiality in providing security looms large in how different regions of the country perceive their security. Thus, in the study of the Bakassi Boys, residents of Aba perceived the inability or unwillingness of the state to provide adequate security to Abia and other Igbo states to be a continuation of their marginalization, itself a continuing punishment for the civil war. On their part, OPC leaders insist that the annulment of the presidential election won by a Yoruba candidate is a clear expression of marginalization of the Yoruba from national politics by the north, and justifies any move by the Yoruba to protect themselves from a northern onslaught. The decision to impose Sharia in some northern states, and the consequent establishment of the Hisbah in Kano, is traceable to a feeling of northern exclusion from the federal government. The same arguments of exclusion from and partiality of the Nigerian state have been used to justify the existence of militias in the Niger Delta.

Finally, there is the dimension of *inaccessibility* of public security agencies. State or public security decision-making is perceived as undemocratic and non-participatory. Additionally, many public security agencies are perceived as aloof and unresponsive to the security needs of the public. In the case of the Bakassi Boys, shoemakers at the Ariara market in Aba who first established the vigilante group, complained of several failed attempts to get police to intervene on their behalf. In many cases they claimed that the police instead collaborated with the criminals and tried to portray some of the captured criminals as victims.

The consequences of this failure of governance and public security decision-making structures for public security are variously explored in the studies. They are essentially threefold: namely, the manipulation of security, the communalization of security and the personalization/privatization of security.

5.3.1 The manipulation of security

All the studies emphasize political manipulation of security issues as a hallmark of security decision-making in Nigeria. The decision of the Kano State government to pass the Kano State Sharia Penal Code in 2000, which paved the way for the establishment of the Hisbah Corps, was not based on any commitment to providing security. Instead, it was a politically

68 *Marginalization* is a term commonly used in Nigeria to denote the exclusion of groups, particularly ethno-religious groups, from national life. In the final days of military rule, the term acquired a political and ideological meaning. Elite members of ethnic communities, particularly from the southern parts of the country, that felt excluded from economic opportunities and politics under the military, mobilized against other ethnic communities, particularly those from the north, perceived to be beneficiaries of military rule.

motivated decision by the new state government of Musa Kwankwaso, experiencing a legitimacy crisis arising from the election that brought it to power, which many believed was 'fixed' by the departing military government. The government saw, in the growing popularity of Sharia across the northern parts of Nigeria, an opportunity to legitimize itself by passing Sharia law, ignoring the fact that it had neither the capacity nor the commitment to enforce compliance with the law.⁶⁹ Having elevated Sharia to the political agenda, it was not surprising that it would be a major issue in the 2003 gubernatorial elections. In fact, the opposition party, the All Nigeria People's Party (ANPP) and its candidate, Ibrahim Shekarau, accused Rabi'u Kwankwaso's government of a lack of seriousness in implementing the Sharia code it passed. It is believed that the promise of strict implementation of the Code by the opposition contributed to its electoral victory.

In the Niger Delta, the ruling People's Democratic Party (PDP) repeatedly used the question of securing crude oil installations as an excuse for supporting irregular forces in the region. In what seems like a continuation of the policy of previous military governments which used several unorthodox tactics to repress communities in the Niger Delta, the civilian government at various times created and funded militias, violent gangs, counterinsurgency forces, oil company paramilitary forces and security task forces on the pretext of securing oil production and policing remote, restive communities that regular security agencies were unable to protect. However, these irregular forces were primarily designed to support the ruling party during elections. Not surprisingly, the two most dreaded militia groups in Rivers State, between 2003 and 2005, the Niger Delta Vigilantes led by Ateke Tom and the Niger Delta People's Volunteer Force led by Asari Dokubo, were used by the government to 'provide security' during the 2003 elections, a euphemism for rigging. Subsequent disagreement with the government over the allocation of slush funds between the two militias led to violent fights between them around the city of Port Harcourt.

In the case of the Bakassi Boys, Governor Orji Uzo Kalu, embattled by disagreements with his deputy, party hierarchy and President Obasanjo, saw in the Bakassi Boys an opportunity to endear himself to residents of Aba, the major commercial town in Abia State. He accused the federal government of a failure to provide adequate security, and justified the passage of a state bill adopting the Bakassi Boys as a security agency of the state government on the grounds of police failure. Opponents of Governor Kalu, however, insisted that he was using the Bakassi Boys against political opponents, particularly as his political fortunes declined in the face of his ambition to succeed Obasanjo as president.

The tendency among Nigerian politicians, particularly the executive arm at the various levels of government, to manipulate security issues for political and economic gains is widespread. This has been fuelled by the abuse of security votes, an 'opaque fund' reserved for the executive which is not appropriated, accounted for or audited through the legislature. Sometimes, a state governor could (mis)appropriate as much as N100 million monthly as 'security vote'. Such slush funds are channelled into the secret funding of militias and gangs of government 'enforcers'. Many political office holders have been accused of eliminating

69 Ya'u, 'Hisbah in Kano State', 1.

political opponents through such gangs, including the high-profile killing of former minister of justice, Chief Bola Ige.

These militias and gangs have also filled a long-standing demand of state governments, namely the establishment of a state police force. Under the present Constitution, the Nigeria Police Force is a federal agency. Over the years, state governments have complained about the use of the police by the federal government against States, and the fact that the force is spread too thinly to provide country-wide security. This demand for state police forces has remained widely unpopular, because of fears that state governments would use them against their opponents.

5.3.2 The communalization of security

Another major consequence of the failure identified by the case studies is the increasing communalization of security. All case studies point to the increased salience of communal groups in security provisioning as the capacity of public security agencies to provide adequate security declined. In this sense, communal groups are variously defined: the Tiv clan in the case of Zaki Biam, the Yoruba ethnic group in the case of OPC, the Islamic religious community in the case of Hisbah in Kano, oil producing communities in the case the Niger Delta, and Igbo traders in the case of the Bakassi Boys.

The idea that, faced with a failure of public security agencies, the community has to organize a security agency for itself is a central plank on which all the cases studied justified their existence. Not surprisingly, such agencies enjoy the full support of the ‘in group’ or ‘communal group’ they purport to serve. They generally portray any ‘out group’, including the state, as a threat to the security of this ‘in group’. In Kano, the popular demand for Sharia and opposition to its implementation by the federal government, led by a Christian president, framed the communal context for the emergence of Hisbah. The OPC has constructed a responsibility for itself to provide security for ethnic Yoruba wherever they live, particularly in their homeland.

In many cases, the communalization of security by these non-state actors has increased conflict among competing communal groups, undermining the security they purport to provide. For instance, Momoh notes that

The OPC supported the ethnic clash between the Yoruba and Hausa in Sagamu, a town in Ogun State, in 2000, following the violation of the sanctity of the rituals and festivity of the Yoruba in the town. Many Hausa were killed. This led to reprisals or similar killings of Yoruba in Kano. Again, in February 2002, a violent clash between the Yoruba and Hausa occurred in Idi-Araba [a suburb of Lagos] in which over 200 people were killed and over 2,000 people were displaced.⁷⁰

It is by mobilizing such communal grievances against other ethno-communal groups that organizations like the OPC have legitimized and popularized themselves.

70 Momoh, ‘O’odua Peoples Congress’, 4.

As communalization of security fuels the popularity of non-state security actors, the state and its security decision-making structures are constrained to engage them. Consequently, there is ambivalence on the part of the state in dealing with non-public security actors, vacillating between opposition and accommodation. In Kano, the Kwankwaso government long resisted the lure of passing a Sharia penal code, but finally capitulated to popular demand. In fact, the pressure was so great that his deputy joined a group of self-appointed enforcers to attack beer parlours in the Kano metropolis. The government later had to pay compensation for the beer and liquor destroyed in the operation. The establishment of the Hisbah Corps by his predecessor was partly justified on the grounds of preventing people taking the enforcement of Sharia into their own hands.

In the Niger Delta, between 2004 and 2005, the Obasanjo government vacillated between a clampdown on the Niger Delta Volunteer Forces and negotiation with its leader, Asari Dokubo. On October 1st, 2004, President Obasanjo finally met face-to-face with Dokubo to persuade him to call off 'Operation Locust Feast', the codename of the militia's offensive against the government and oil companies.⁷¹ It was widely reported that they reached an agreement, but the militia leader later accused the federal government of reneging on it. Further deterioration in relations followed until Asari Dokubo was arrested and charged with treasonable felony in 2005, starting a phase of militia onslaught against government and oil company interests.⁷²

The same was true of the OPC and its leaders. Both Dr Fredrick Faseun and Gani Adams, the two leaders of the Congress, were at various times either negotiating with government or fugitives from the security forces.

These ambivalent engagements between government and non-public security actors create fluidity in the activities of the latter. They oscillate between phases of opposition and co-operation with the state. During phases of opposition, they often act as insurgents, their activities become highly political and their leaders engage in violent rhetoric against government. However, during phases of co-operation they become less visible and concentrate on providing security to their communal groups and other clients. This capacity to adapt to changing relations with the state has been important to their resilience and survival. In the Niger Delta, not only the communities but also oil companies and state agencies have received security services from irregular forces. According to Allen,

In Nembe, a community of four villages in Bayelsa State and many other communities in Bayelsa, Rivers and Delta States, Shell, Agip and Elf oil companies have engaged members of minor groups making up MEND to provide security. In Joinkrama in Rivers State where the SPDC has oil wells at the Adibawa (Edagberi village), groups whose identity are [sic] undefined are paid to protect SPDC staff and oil installations. The use of irregular forces was . . . thought to be part of the new approach to 'community relations'.⁷³

71 See Ibeanu and Luckham, *Niger-Delta: Political Violence*, 1.

72 Allen, 'Irregular Forces', 8.

73 Ibid., 9.

It is also clear that during phases of opposition, non-state security actors tend to be more accountable to the community, while they become less accountable and more inclined to impunity during phases of co-operation. The Bakassi Boys in Aba provide an illustration. According to the case study, Bakassi I was the original vigilante group organized by the shoemakers. They were accountable to the Shoemakers Association under the chairmanship of Oguikpe Ezeji. As soon as the government took over the outfit (Bakassi II and III), the shoemakers lost control and the Bakassi Boys became unpopular for extorting money and harassing innocent citizens.⁷⁴

5.3.3 The privatization of security

A third emerging trend identified by the cases is the privatization/personalization of security. This is a feature shared increasingly by both state and non-state security decision-making. In spite of their claims to provide security for the community, it is clear that many non-state security actors pursue the private goals of their leaders and cohorts. In some cases, their activities are linked to crime.

It is no surprise that the government has linked both the OPC and Niger Delta People's Volunteer Force of Asari Dokubo to criminal activity, including the murder of police officers. In 2000, the OPC killed a police officer in the Bariga area of Lagos and freed OPC members who were in police custody. OPC leaders have at various times been charged with arson, murder and treason.⁷⁵ In the case of Asari Dokubo and his group, it has been noted that

*they are linked to organized crime, including 'bunkering' (the looting of oil from pipelines and installations); and are armed with relatively sophisticated weapons, including machine guns and rocket-propelled grenades. Thus, behind the reformist rhetoric, the violence in the Delta is becoming privatized, interlocking with corruption and electoral politics, including the deployment of militias by State Governors to intimidate opponents.*⁷⁶

In the context of security privatization, both state and non-state security agencies are used to settle scores. For instance, the Bakassi Boys were used for debt collection, the intimidation of political opponents and personal protection. This privatization of security is not limited to non-state actors. State security agencies are also used for the same purposes. For instance, many people were given detachments of soldiers and policemen for personal protection. In the case of the military invasion of Zaki Biam, some members of the community suggested that the operation was a government reprisal against former army chief General Malu, who earlier left the army due to disagreements with President Obasanjo over reforms, especially concerning the role of MPRI.

Perhaps the most glaring indication of the personalization of public security decision-making is the tendency for decision-makers to work outside legal and constitutional procedures.

74 Nworgu, 'Bakassi Boys'.

75 Momoh, 'O'odua Peoples Congress', 4.

76 Ibeanu and Luckham, *Niger-Delta: Political Violence*, 1.

Thus, public security decisions are increasingly informalized and extra-legal in nature. For instance, Kano State government's establishment of the Hisbah Corps was instigated by the Ulama, an informal body of Islamic scholars. The governor established the Shura, a committee of fifty people hand-picked by him. It was an informal, unrepresentative body outside the legislative process, consisting of twenty-eight Islamic scholars, eight academics, four judicial officers, three retired civil servants, one ex-policeman, three businessmen and three serving civil servants.⁷⁷ Of course, religious minorities, youth, rural communities and women were excluded. The fact that the recommendations of the Shura finally got the seal of legislative approval does not conceal its shortcomings.

In the same vein, the decision by the Abia State government to adopt the Bakassi Boys was imposed by the state governor and his cohorts, although the state legislature later approved it.

Personalization of security, which is one indicator of its privatization, permeates even the highest echelons of Nigeria. President Obasanjo was widely accused by senior political and military officials of personalizing security decisions, as he did other decision-making. The repeated clashes between the president and the National Assembly over his willingness to implement laws passed by the Assembly led at one point to impeachment proceedings being instituted against him. While many observers attribute his inclination to personalize decision-making to his personality and military background, his associates insist that security decision-making structures in Nigeria are fluid and gradually evolving. According to Obasanjo's national security adviser:

*As Nigeria's democracy evolves, rules are beginning to be better defined and processes are emerging. The Constitution prescribed procedures concerning aspects of national security decision-making . . . declaration of state of emergency and the deployment of Nigerian forces abroad. It would appear that the form and structure of the decision-making process and procedures in other respects remain the prerogative of the . . . Commander-in-Chief.*⁷⁸ ■

77 Ya'u, 'Hisbah in Kano State', 6.

78 Sanda, 'MPRI', 2.

Chapter 6

Summary, conclusions and strategic entry points

6.1 Summary

This country report set out to characterize and analyze security structures and decision-making in Nigeria as part of a three-country project also involving Sri Lanka and Uganda. In doing this, we have traced historically the emergence, growth and transformations in public security decision-making in the country. We proposed that the failure of public security decision-making to provide adequately for the security needs of the public over the years, demonstrates the limits of state-centred (public) security decision-making. This failure has also led to and justified the rising role of non-public actors in security decision-making. This security duality (public–non-public) suggests that ‘cooperative security’, in which both public and non-public actors have clearly defined legal roles, would strengthen security institutions and provide a democratic framework for better security in Nigeria.

These propositions were explored in the context of six case studies: the deployment of the Nigerian military in Zaki Biam in 2001; the formation of the Bakassi Boys (a vigilante group) in Abia State in the 1990s; the role of the Odua’s People’s Congress in providing security in Lagos; the formation of the Hisbah Corps in Kano State in the process of implementing Sharia law in northern Nigeria; the role of irregular forces in the Niger Delta with respect to community grievances and conflict between ethnic groups; and the impact of external assistance on national security reform and policy processes as expressed in the MPRI re-professionalization contract.

Drawing on these case studies, this study finds that the deeper roots of the weakness in public security decision-making, expressed in the incapacity, partiality and inaccessibility of public security structures, lie in a general crisis of governance. Nigeria has been experiencing economic crisis, political authoritarianism and negative communalism. A combination of these factors has created a crisis in security decision-making, manifested in its manipulation, communalization and personalization.

This crisis captures several specific weaknesses in state and public security decision-making in Nigeria over the years. First, state security decision-making has been predicated on a reactive/corrective perception of security. Decisions respond to security threats and seek to eliminate such threats and correct the aberrations generating insecurity. As a result, decision-making is not proactive and does not effectively anticipate insecurity. This explains

the tendency to repress social discontent rather than anticipate and manage it. In the process, repression elicits violent and insurgent resistance from aggrieved sections of the society, such as we have seen in the Niger Delta.

Second, the dominant epistemology behind state security decision-making is narrow, *technicist* and specialist, requiring specialized training in the use of force and intelligence. Security is portrayed as a function requiring specific knowledge and skills. As such, security decision-making tends to alienate broad sections of the public, undermining its responsiveness to society's numerous security challenges. In response, sections of that society seek alternative means of security, as seen in the cases studying the Bakassi Boys and the OPC.

Third, security decision-making in Nigeria focuses on securing those in power and supporting their broader class project, particularly the protection of oil revenues. This is often confused with state security, and so fails to recognize the wider vulnerabilities of broad sections of the populace. And because power in Nigeria tends to be sectional and communal, public security decisions are influenced by sectional and communal, particularly ethno-religious, considerations. As such, public security organs have been plagued by issues of ethnicity, nepotism, patronage and corruption. Insofar as this is the case, public security decision-making in Nigeria has failed to command the confidence of the nation, with many segments of the populace feeling excluded (marginalized) from it.

Fourth, control of the public security decision-making process is elitist, personalized and presidential. It privileges state violence and the military over other agencies of government. Thus, it is not democratic; decision-making is concentrated in the hands of politicians and military officials.

Finally, perhaps the most important weakness of public security decision-making in Nigeria is that in spite of elaborate provisions in the Constitution, in reality security decision-making is marked by an essentially ad hoc approach to planning and implementation. It is not shaped by any coherent national security strategy. Rather, it is fashioned according to the whims and personality of the president, and justified on grounds of efficiency and secrecy.

These shortcomings have had a far-reaching impact on security and security decision-making in Nigeria. They have resulted in public agencies' incapacity to provide adequate security. Public organs have become partial and sectional in providing security. They have made public security decision-making inaccessible to large sections of the populace, leading to very low confidence in public security decisions. The net effect of these is that security decision-making has become an issue for political manipulation; it has become increasingly communal rather than public; and it has become more privatized and personalized.

These inadequacies create security gaps which a motley crew non-state actors and social forces seek to fill. This assortment of private actors exhibit varying characteristics. While some are formally organized, others are loose networks. While some operate with the explicit recognition of the public security system, many others operate outside it.

Over the years, policy and strategy about security have been dominantly portrayed as a 'state secret'. This report shows how, increasingly, what could be termed *security provisioning* became state centric; that is, state focused and the exclusive prerogative and monopoly of the state. The state's approach to insecurity has become militarized, using the traditional

agencies of coercion, the armed forces and police. At the same time the state has become incapable of meeting public security demands, which poses challenges of ‘capacity, accessibility and accountability’. Non-state security actors and groups systematically began to respond to the security needs of the people, and their informal processes have found relevance in a state and non-state security decision-making partnership.

6.2 Conclusions

6.2.1 Federalism and security decision-making

The federal constitution of Nigeria and years of military rule have led to the concentration of security decision-making in the central government. This has remained a contentious issue, as Nigeria’s component states have sought more devolution of security powers. This has become part and parcel of demands by states for ‘true federalism’, meaning a more balanced allocation of powers and resources between the central and state governments. A major part of this demand has been the call for the establishment of state police.

6.2.2 Politics and security decision-making

Security decision-making in Nigeria mirrors the politics of the country. The politics of communalism, especially in its ethnic and religious forms, is reproduced within the sphere of security. A central aspect of this politics is ‘marginalization’, the Nigerian term for exclusion of one’s ethnic, religious and other communal rivals from decision-making. The public always views public security decision-making through the cipher of communal politics. It is this feeling of group exclusion from public security provisioning that drives the emergence of non-state security actors. In these circumstances, security decision-making, both state and non-state, tends to be highly politicized and subject to political manipulation. Provision of security is often used for political ends and to justify impunity and corruption.

6.2.3 Non-state security decision-making

Powerful centres of security decision-making exist with varying degrees of autonomy from the state. These include vigilantes, militias, cults and death squads (professional assassins). These irregular forces have their immediate origin in the general failure of public security decision-making. However, socio-economic conditions and political authoritarianism, particularly military rule, set the broader context for the emergence of alternative security decision-making structures.

6.2.4 The relationship between state and non-state security decision-making structures

The relationship between state and non-state security actors has been one of mutual ambivalence and pragmatism. State agencies tend to accept and ‘adopt’ non-state security actors when the latter are popular with the public and appear to be delivering security services

efficiently. However, public security decision-makers always see non-state actors as potential threats and countervailing powers, and so seek to eliminate them. On their part, non-state security actors, particularly insurgent groups, are quite adaptive in their relations with the state, moving from underground and anti-state activities to a legitimate role of security provisioning for their communities, depending on the level of state hostility towards them.

There is an increasing informalization in public security decision-making. Decisions are essentially personalized and taken outside regular institutional mechanisms. Increasingly, public security decision-making shares this characteristic with security decision-making in the non-state sector. There is therefore a need for strengthening public security decision-making structures through institution building and professionalization, rooted in the specific experiences of Nigeria.

6.2.5 Public perceptions of state and non-state security actors

Nigerians see public and private security decision-making structures not as competing alternatives, but as complementary. They tend to be pragmatic about security provisioning. Given the daunting tasks involved in the security sector in Nigeria, there is a public perception that both the state and communities should not only be involved in security *decision-making*, but also in security *provisioning*. The public see the non-state actors as making up for the lapses and weaknesses of state agencies. They have lost hope that the state can ever undertake fundamental reforms in the security sector that can guarantee their safety.

On its part, the state sees this development as usurpatory and illegal. Hence, for example, the federal government has outlawed all vigilante groups. The government's position on vigilantes has not gone down well with citizens. While there is a general acceptance of problems stemming from the excesses of various groups in carrying out their activities, the public still believe vigilantes have a role in the security sector.

6.3 Strategic entry points

From the foregoing analysis, three issues provide useful entry points for donor intervention. These are: partnership between state and non-state actors in decision-making; opening up the security decision-making space; and the thorny issue of security in already volatile environments, in which the population does not trust public structures (as in the Niger Delta). However, these entry points are not alternatives to addressing the fundamental cause of the crisis of security in Nigeria: namely, a crisis of governance in all its economic, political and cultural manifestations.

We suggest the following three strategic entry points:

- i) *Research*
 - a) Baseline studies of non-state actors in some focal states of the country. The pilot states should correspond to the states already involved in this project; namely, Kano, Abia, Lagos, Rivers and Benue. A survey should collect basic information about attitudes towards public security decision-making and attempt to classify

the actors based on a taxonomy. This will be a first step in creating partnerships between non-state and public security decision-making structures.

- b) Police–public partnerships in security provisioning. Here research should focus on evaluating existing partnerships under the general rubric of community policing, which has been going on for about five years. Findings should help improve future police–community partnerships.
- c) Developing an electronic database on security decision-making in Nigeria to aid future interventions. Data and information should be available to the state and public for the purposes of proper planning, monitoring and evaluation of security profiles and activities of individuals and groups. Risk zones must be identified and continually assessed, and potential conflict zones spotlighted and managed. A database could therefore serve the police and the army, whose methodology of intelligence gathering and assessment of conflicts differ fundamentally. Some of this information can be put in the public domain, so long it does not compromise state security.

ii) *Policy dialogues*

The security sector and security decision-making in Nigeria are still elitist, fissiparous and uncoordinated. Support should be given to policy dialogues that create contexts for expanding public participation in security decision-making, while harmonizing the roles of different public actors and structures. Dialogues should build from the community level up to the national level. The implication of recent security trends in Nigeria, some of which have been identified in this study, particularly communalization, personalization and manipulation of security decision-making, could be focal issues for such dialogues. They should aim to build synergies between political decision-makers, political parties, academia, security forces, the bureaucracy, vigilantes, and others.

iii) *Niger Delta*

Successive governments recognize the centrality of security in the Niger Delta to the overall security of Nigeria. Yet, it has remained elusive because of a complete breakdown of trust between communities and the state, especially state security apparatuses. Consequently, irregular forces have emerged on all sides, including the side of the state and oil companies. This is a recipe for anarchy. Two strategic entry points are suggested:

- a) Pilot projects on cooperation between state and non-state actors (communities, oil companies, youth groups, etc.) in protecting oil installations. There are already examples of such projects which could be identified, evaluated and scaled up.
- b) Development of best-practice guidelines for public and private security actors. This will include guidelines on protecting human rights, information sharing, etc. The Voluntary Principles on Security and Human Rights, to which many oil companies have already acceded, is a good starting point.

There is much to be done if the state is to break the vicious cycle of the current security crisis, and if harmony is to be brought to the currently chaotic and disorganized

security arena in Nigeria. The most pressing need is for a coherence across the sector that will ease tensions and conflicts in various states and among different groups. Strengthening partnerships between state and non-state actors in security provisioning is an important starting point. This will involve getting more non-state actors involved in the public security decisions that affect their communities. The state for its part will need to be more open to public participation in security decision-making. This will involve it changing a deeply entrenched view that all matters of security decision-making should be the exclusive prerogative of the state and its security agencies. ■

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