



DAPCHIBOK AND THE ALLEGED COMPLICITY OF THE NIGERIAN SECURITY APPARATUSES: THE LAW IN THE FACE OF BLAME GAME

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ABSTRACT: *The task of ensuring perpetually, maximum security to every citizens and assets in a state has in recent time become a possible impossibility. Yet, states strive to, and deploy available human and technological resources and strategies to mitigate this endless blizzard of security storms. Twice, the Boko Haram terrorist group has brazenly harassed and embarrassed the Nigerian security apparatuses by kidnapping and using as pawns, decoys and bargaining chips, students of the high schools at DapChibok (Dapchi and Chibok). Twice, security apparatuses, the state governors, and the presidents have been blamed and accused of complicity by divergent parties. Using the abductions in DapChibok as cases, this work examines the complexity that surrounds the hyper-centralisation of the Nigerian domestic security apparatuses in delivering security to her citizens. It has been discovered that such high centralisation culminates in nominal/peripheral security legitimisation which is responsible for the confusion and disharmony between the government and the governed. It is our argument that absorbing the locals and state governors from security roles and responsibility is insidious, counterproductive, preposterous, and breeds complacency and complicity. With lessons drawn from the settings of the traditional African society, the work therefore recommends, inter alia, the initiation of processes towards the attainment of absolute security legitimisation for an inclusive, responsible and effective policing of our internal security environment.*

KEYWORDS: National Security, Chibok, Dapchi, Security Legitimation, Boko Haram, Counterterrorism, Nigeria

INTRODUCTION

History and the Geo-security Environment of Nigeria

An avalanche of socio-cultural, political and historical processes has engineered, reengineered, shaped and defined the trajectories of the Nigerian geo-security environment. Apparently, these processes are quite dynamic; bowing to the pressures and dictates of the evolving climate which we would deploy the instrumentality of history to analyse. Ordinarily, security, which Amoda (2007:21) has averred to be “concerned with identification, destruction and containment of threats to orders...”, is an inevitable consciousness of organised human settlements which is either undermined through subversion and crimes or maintained and enhanced through legislations and apposite enforcements.



From its appellation to geographical composition, Nigeria is but a culmination of the Lugardian behest of which only leniency, is the delineation of the Atlantic Ocean as the country's southern boundary. In their explications, Falola & Heaton (2008:17) warned that:

The only geographical boundary of Nigeria is the Atlantic Ocean, which forms the southernmost border of the country. Nigeria's western, northern and eastern borders are all relatively arbitrary, having been negotiated at drafting tables in Europe rather than through local processes of societal development.

The point here is that several groups, in ambivalent intergroup relations, existed on transient and volatile boundaries within and along the area that constitutes the modern Nigeria. To the east, were the peoples of Igbo and the Ejaghams of Upper Cross River, to the south were the Efik and other groups of the Niger Delta, situated at the West were the Yorubas, in the Central were the peoples of the Niger-Benue Confluence and to the north were the Hausa states and the Kanem-Borno peoples. A plenitude of groups in each of these divides possessed some highly centralized political structures as compared to the others. The largest of the centralized states in the south were the kingdoms that sprouted in Ile-Ife and Benin. In the north, "the empires of Kanem and Borno became increasingly powerful from the eleventh century CE, with Hausa states such as Kano, Zaria, and Gobir beginning their ascendancy by the fifteenth century" (Falola & Heaton, 2008:16).

Thus, the traditional pre-colonial Nigerian states-maintained fluid, porous and transient [inter]national boundaries. There is no gainsaying, for instance, that the Caliphate economy was dependent, or so to say, on the fluidity of the trans Saharan caravan routes which coalesced what later became Nigeria, Niger, Benin and part of Chad and Cameroon into a single economic hub (Austin, 2004:3). Akinyeye (2001:31), in his work "African Security in Historical Perspective", has aptly shown that "African states were not seriously committed to the protection of territorial integrity mostly because of what constituted the limits of such states". What constituted security by this epoch is best described or defined in the context of Human Security of which Hubert (2001:162) has posited to be the "safety of people from both violent and non-violent threat". Unlike what is applicable to the Westphalian political order, the protection of territorial integrity of states "did not constitute the centre of gravity for conflict" in the pre-colonial Nigeria. Relatively, "internal subversion and the protection of citizens and resources constituted the main security concern of pre-colonial Africa" (Akinyeye, 2001:16) at large, and Nigeria in particular.

Prior to the nineteenth century, element of security concerns, which was basically internal, was thus leveraged in two paradigms: welfarism and policing/protection contract. "**Welfarism**" here defines the economic foundation of communalism which has been better embellished and illuminated in some literatures with relative concepts such as *ubuntu*, *uhuru* and in most cases, *ujamaa*. It describes a traditional African society whereby the wealth of one was directly proportional to the wealth of all. Majority's wealth translated as everyone's prosperity. In such scenario where capitalism was conspicuously absent and resources were gregariously shared, what is referred to in modern literatures as "human security" was guaranteed.

The concept of "**policing/protection contract**" is adopted here as a model, based on Jean Jacques Rousseau's "social contract theory" to explicate the social condition where by security was seen as an exclusive reserve of every citizen of a state. Again, it was based on



the foundation of communalism. Here, not just did everyone become his/her brother's keeper. The prevailing social order was such that everyone relinquished his/her personal security for the better security of everyone. It was a "trust" system, based on the ideological postulation of the golden rule; "do not that to another which thou wouldest not have done to thyself". Such rule found credence in the African communalism which made a personal problem communal, an individual crisis general, a lone encumbrance collective, and solitude a rarity. Policing/protection was a latent strategy which, in most cases, was construed to express and echo the dictates of the prevailing socio-political structure. Ingredients, taboos and ideology were drawn from traditions, religion, myths and legends of which expressions, the citizens strived to adhere and propitiate. Adopting the pre-colonial Akungba of Akoko in Ondo State – Nigeria as a case, Daniels (2015) labeled this model as "communal strategy". Commenting further, he noted that "it was built around the existing socio-political structure of the society, which closely involved the people and made them to see themselves as major stakeholders". Thus, not just were the people conscious, but also committed to efforts aimed at ensuring and enhancing security (Daniels, 2015: 179&182). Even though "the gods were to blame" for inscrutable security challenges, the community was responsible for pervasive criminal actions and did everything to forestall such since the security of one was the security of all. The Igbo, Falola et al (1989:89) have argued, believed that law came from the earth goddess or *Ala* and that what the elders did was to hand over the law to the people. Inadvertently, it was in the interest of both the living and the gods that justice was maintained in the land.

Voluntary adherence to the "policing/protection contract" notwithstanding, communal methods for effective detection, apprehension and punishment of criminals were devised. They were mostly generic, congenital, all engaging and designed to placate the communal superstructure which defined the socio-political institutions. In the parlance of Nwankwo (2010), such arrangement had a moral form of law enforcement derived from the power and authority of kinship systems and rule by elders. In such "totemism or naturism", he elaborated, "the family of the offended individual was expected to assume responsibility for justice by capturing, branding, or mutilating the offender" (93). Of the "civilizations" east of the Niger, the age groups as well as some secret societies such as *Ekpe* (for the Efik, Ejagham, Arochukwu etc), *Ekpo* (Ibibio, Anang) and its splinters ensured security and order. As suggested by Majuk (2004:42), the *Ogboni* secret group exhibited similar mandate for the Oyo Empire. In the burgeoning and international caravan trading cities of Katsina and Kano, security was as exclusive of the locals who were masters of the environment and terrains (Hull, 1972:59). Succinctly, security was an "internal" and generic language which was mutually intelligible in all dimensions to a people of a state and was thus communicated and interpreted for the benefit of all.

Punctured in time, space, and gravity, some strategic winds of change penetrated the geospace of the Nigerian security environment and sowed the seeds that would incessantly and ominously alter the above expounded security order. Those changes were: the proliferation of Islam in northern Nigeria and the serendipity that landed European explorers on the Bights of Benin and Biafra in the fifteen century.

The apogee of Islamic incursion into West Africa coincided with the collapse of the Songhai Empire which was repercussive in the independence of the Hausa states. Subsequently, Shehu Usman dan Fodio would overrun most of the northern landscape through the nineteenth century Sokoto *Jihad* and would congeal and centralise its security apparatuses with political Islamism (See Hunwick, 1966:291-300). Crowned as the *Amir al-mu'minin* (Commander of



the Faithful), Fodio was literally god's representative and the conduit who determined the patterns and strategies that the security pendulums in the different districts of the "empire" could be swung. Thus, the security bearing was altered from petty people-centered arrangement to a quasi-feudal structure designed to sustain the Caliphate and the Sultan under the political philosophy of Islam which was resonated in the *Sharia* jurisprudence.

The arrival of European traders and their subsequent trading escapades either induced or coincided with an evolving era of "traditional individualism" and covetousness which was better expressed in state subversions, intra/inter-ethnic wars and slave raiding. The Oyo and Benin Empires were common victims to such demarches and the former would finally fall prey to the Caliphate, courtesy of the subversive tendencies of its *Aare Ona-Kakanfo*.

Nevertheless, security was still very much at the interest of the state and its citizens. Even in the areas where centralisation was enshrined, there was a magnificent level of legitimacy and support from the subject people. Security was still a people's thing, communicated in a mutually intelligible language, and was in most cases community writ large.

Colonialism ushered in a watershed in the patterns and structure of security in Nigeria. It enshrined a geographical and political territory with a "common" threat to an uncommon class and a novel trajectory and patterns of securitisation. It is important to note that from the late fifteenth century, when the Europeans began trading with the coastal peoples of Nigeria, until the beginning of the nineteenth century, the feature of the relations between them and the indigenous people was their complete dependence on the rules of the coastal people not only for securing of trade but also for the safety of their lives and property (Inyang & Bassey, 2014:1947). However, the advent of "colonial intervention in Africa", Akinyeye (2001:29) observed, "altered the nature of African states, their national interest, the threats to these interests, as well as the means of protecting them". There was a paradigm shift from security being for the convenience of the society to a gratification of a class in the society. To conjecture from Amoda's (2007:21) proposition, security under colonial rule became "armed and security forces of the state" put together by the colonial class for "effective threat elimination and or containment processes". The presence of fear became the parameter which rather than define insecurity, ensured security. For the fact that colonialism lacked legitimacy, tons of gunpowder, men, and guns were necessary to terrorise the larger population into submission (see Ekpo, 2016:6-7). This is why Fanon (1963) has characterised colonialism as a violent action which demands a greater violence to be reversed.

It was necessary that after consolidating its suzerainty over Nigeria, its rule be perpetuated. This culminated in the birth of a highly centralized security apparatuses with the aim to suppressing uprisings in troubled areas. Security here was defined as being at "peace with Britain, freedom of trade, assistance to British subjects in time of difficulties and freedom for the propagation of Christian faith" (Nwankwo, 2010:80). The colonial definition of security culminated in the "distortion of the traditional institutions and values, which had from time immemorial sustained harmonious relationship, peace and security of lives and property in the pre-colonial African communities" (Onyeozili, 2005:33). Succinctly, there was a brazen and deliberate destruction of the old order and a concomitant introduction of a new security order. This position is further embellished by Onyeozili (2005) when he bemoaned that:

Colonial rule was consolidated through a system that subjugated the existing traditional informal law enforcement mechanism with the forceful imposition



of the Western idea of policing. Thus, the colonialists introduced new laws, which replaced, or seriously threatened the efficacy of native laws, which replaced or seriously threatened the efficacy of native laws and customs, traditional religions and other sanctions, as well as indigenous tribunals and justice (33).

Security challenge was perceived to be ubiquitous. The uniqueness of the geo-space became irrelevant; one was either a friend/subject to the Crown or a threat. Consequently, the consular guard, which was later christened “Hausa guard”, was founded in 1861 in the Bights of Biafra and Benin to foster colonial security. These forces were deployed to restore order in troubled areas across the length and breadth of the colonial sphere of influence. Such marked the beginning of security centralisation and acrimony between the “protector” and the “protected”. In the words of Nwankwo (2010),

The typical Hausa constable was tall, fierce-looking, and generally loathed by the indigenous people of Nigeria. The Hausa Constabulary was seen as an instrument for punitive measures in the hands of the colonialists. These characteristics are the origin of the antipathy which built up and has persisted between the modern police and the people of Nigeria (111).

Nevertheless, brutality was what the pre-colonial and colonial security apparatuses had in common. The former’s brute was legitimate while the later’s was illegitimate and was dreaded. But for the fact that legitimacy in the colonial era was defined by “capacity” than people’s acceptance, the colonialists held sway.

In 1879, the Hausa guard was regularised; in 1896, the Lagos police force was created; the Oil River Constabulary, which later became the Royal Niger Coast Constabulary, was formed. The Royal Niger Constabulary, later organized as the “Northern Nigeria Regiment” and “Northern Nigeria Police Force” was founded in the North. The Lagos police and the Royal Niger Coast Constabulary were also reorganized to form the “Southern Nigerian Police Force” and “Southern Nigeria Regiment”. The merger of the Southern and Northern police forces under the command of an Inspector General of Police (Nwankwo, 2010:112) signified a new era; the era of superfluous centralisation of the state security apparatuses. With the creation of provinces (1939) and regions (1946), Commissioners of Police, under the command of the Inspector General, was created to be used as extortionist substance for the traditional rulers since “the colonial powers recognised chiefs and emirs for the purpose of taxation”. Subsequently, the regional police were further centralized in a merger that defines the “Nigerian Police”.

During the constitutional conferences, the idea of separate or regional policing was rejected while the coalescence of all local police forces was embraced. Thus, “by the provisions of the Nigerian constitutional order-in-council of 1960, independent Nigeria established Unified Federal Police known as “the Nigerian Police Force” (Nwankwo, 2010:113). Thus, the legacy of colonial security transcended independence and still lives with us.

Though a centralised security paradigm was adopted, security challenges since independence has proven to follow a decentralised and haphazard arrangement with peculiar social environment and eschatology playing pivotal roles. There are distinct problems in the south-west, the Niger Delta, the north-central, the south-east and of course the north-east. These



security challenges are unique in style, pattern, context and trajectories but are faced or countered with predictably linear and centralised Nigerian security apparatuses.

The Tale of two Schools of DapChibok: A Case of State Complicity?

Known, addressed and described with a plethora of appellations, the Boko Haram militant group, since its 1995 incubation periods and subsequent escalation, has distorted the security demography of northern Nigeria. Punctured in time and space, a chunk of the region's land has in one time or the other fallen prey to the rampaging 'banditry' of the dreaded group. Infrastructures, ranging from roads, hospitals, schools, houses, recreational centers, places of worship and rituals, etc, have been either buried by bombs and mines or left tattered, shattered and pierced by flying bullets. Women, children and the whole population are not exempted from the Boko Haram atrocities; even animal and the environment are not spared the mayhem and conundrum bequeathed the region by the extremist group (Ekpo & Mavalla, 2017:12).

Boko Haram's security threat assessment is best resonated in how much damage it has caused. Over 3,600 people were killed between 2010 and 2013 (Essa, 2014: 3). Between May, 2011 and December, 2014, the group is known to have killed more than 8,400 persons while another 7,900 met their untimely sepulcher in fighting between the sect and Nigeria's security forces. There were about 330 attacks between January and June, 2014 with some 4,483 fatalities. Seemingly, the number of suicide attacks in 2014 alone is pegged at 4,066 while total death toll to the year 2015 is said to notch some 13,974 (Ekpo, 2015:12; Ekpo & Mavalla, 2017:13). By the findings of Okome (2017:5), at least 17,000 people have been killed between 2009 and mid-2015. This slightly varies with the estimates of Oyewole (2016) who places the death toll at 20,000 within the same period. As at April, 2016, Boko Haram had triggered the displacement of 2.3 million people since May, 2013. In just one year, the number of displaced children had increased by over 60 percent, from 800,000 to 1.3 million children (UNICEF, 2016:1).

Of the highlighted atrocities perpetuated and perpetrated by the Boko Haram terrorist group, it would be interesting, yet appalling, to know that schools and young students contributed to these doomsday statistics. Between 2000 and 2500 persons, including students of secondary schools were abducted in 2014 alone (Robinson, 2015:6&15). As of 2013, Boko Haram is estimated to have destroyed over 200 schools in Yobe State, with damage worth \$15.6 million (Oyewole, 2016). Over 800 schools were destroyed by 2016 (Urien, 2017:41) and in March, 2014, about 85 secondary schools were closed in Borno State and over 120,000 students were sent home by the government (Maiangwa & Agbiboa, 2014:51). 10 million Nigerian children, out of a population of 160 million are not in school (Osita-Njoku & Chikere, 2015:105) and approximately 670,000 children have been deprived education due to insecurity in northern Nigeria (UNICEF, 2016).

On February 14, 2014, Boko Haram, on one of its assaults, invaded the Government Secondary at Chibok, Chibok Local Government Area, Borno State, and carted away some 276 students. Of this number, 57 students successfully escaped moments after while about 219 were taken into captivity in the Sambisa dens of the terrorists. In the face of this national embarrassment, there were factoids to speculate that the Borno State Governor and Chairman of the state security council, Mr. Kashim Shettima, the President and Grand Commander of



the Federal Republic, Dr. Goodluck Jonathan and the Nigerian military were complicit or accomplices to the security breach.

The Governor, Mr. Shettima was not just pointed accusing fingers at but also apportioned the blame for brazenly ignoring the warnings of the West African Examination Council (WAEC) not to situate any examination centre outside the state capital. As an alibi for his obstinacy, Governor Shettima had promised maximum security for the additional centres created outside Maiduguri. This turned out to be just another demagogue as barely 19 soldiers, in addition to police, were deployed to protect some 530 students who had registered for the exams (Oyewole, 2016). It is further recorded by Oyewole (2016) that the office of the Governor and other state authorities were alerted of an impending assault on the school by the militants, yet, infinitesimal or no action was taken. This culminated in some speculations and politico-contextual analysis of which Mr. Shettima was alleged to have been a shadow party, and the abduction, a demarche. Coinciding with the eve of an election year, security was defined from the political context. In fact, “the abductions were [perceived as] a gimmick by some northern politicians to once again make the southern presidency look bad” (Cold-Ravnkilde & Plambech, 2015:32) and Shettima was considered a major kingpin in the grand conspiracy. The perturbing questions that begged for answer were: why would the governor allay the security concerns by WAEC? why would he assure security in state of emergency? how much legal control has he over the security apparatuses of the state? why did he swiftly swing into action yet, failed to alert his superior at the center? was the governor an accomplice?

On the other hand, the recklessness on the part of President Jonathan was unbecoming and indicting as the federal government was proudly lackadaisical until the Chibok abduction issue escalated. According to Nti (2014:2), President Jonathan did not even believe the abduction until a Twit, (#BringBackOurGirls) from a Nigerian lawyer, Ibrahim M. Abdullahi, exploded the social media. Subsequently, the #BringBackOurGirls transformed into a social movement with the aim to “raise conscious awareness of challenging the Nigerian government towards ensuring safe return of the abductees” (Olutokunbo, et al, 2015:65). In the heat of several protests and international outrage, “the Nigerian government officials and the First Lady accused protesters of trying to discredit the government [and] the First Lady went further to request the detention of two of their [BringBackOurGirls] leaders” (Nti, 2014:2). While it took over two weeks for President Jonathan to acknowledge the abduction of the Chibok school girls, “it took 19 days” for him to call the Governor to ask about the abduction (Ogundipe, 2015).

Thus, when the President sluggishly swung into action, such actions were interpreted in the context of the impasse between the North-South presidential rotation and counter-accusations of using Boko Haram for political gains (Nti, 2014:3). Though the slow response to the Chibok crisis incurred widespread international censure (Essa, 2014:2), President Jonathan rather vindicated himself while apportioning the blame on the state government and school proprietors as he “charged corporations, federal and state government and individuals who own schools, especially in northern Nigeria, to provide basic security” (Okome, 2017:7). The perturbing questions were: how long did it take the chief of army staff to brief the President on such embarrassing security breach? why did the President not act swiftly? why did he feign ignorance even when the issue had become a global issue? why did he prefer to be briefed by governor even when a state of emergency had been declared? Why did it take the



President a fortnight to acknowledge the abduction and another additional five days to phone the governor?

Irrespective of its status as a mere agency of the government, the army was surreptitiously dragged into the April 14, 2014 mess. According to Oyewole (2016), despite series of alerts received by the military commands in in Damboa (36.5 km away from Chibok) and Maiduguri (130 km away from Chibok) between 7:00 pm on April 14 and 2:00 am on April 15, the call for reinforcement did not receive prompt response culminating in the outnumbered soldiers fleeing after about an hour of gunfight with the insurgents. When subsequently, the whereabouts of the abducted girls and their abductors was divulged to the Nigerian security forces by families and communities, the security failed to act (Okome, 2017:6). Frustrated family and community members had to mobilise some 500 people and attempted a rescue mission with weapons such as bow and arrow (Oyewole, 2016). As a government-controlled agency, doubts and reservations on the position of the military was highly superficial – a narrative bordering on the phenomena of moles, worms and infiltrators. Yet, the question of coincidence and state culpability lingered on.

The tornado which accompanied the Chibok abduction's outrage, inter alia, had ridiculed President Jonathan and had engendered the victory of Gen. Muhammadu Buhari in the 2015 presidential elections. The change in power had culminated in the release and escape of some 107 abducted Chibok schoolgirls, though 112 remained unaccounted for (Crisis Group Africa, 2018:2). However, the security situation remained fragile.

Consequently, a faction of the Boko Haram sect, on February 18, 2018, majestically cruised to the Government Girl's Secondary and Technical College, Dapchi, Busari Local Government Area, Yobe State, and carted away 113 out of some 906 students. Just like the Chibok case, blames were unending, accusations were never ceasing and all parties were aggressively determined to exonerate themselves and concomitantly, shift the blame.

The Governor of Yobe State, Ibrahim Geidam, through his Press Director, Mr. Abdullahi Bego, had abruptly claimed that the military has rescued the students (Inyang, 2018). When it became apparent that his statement was a ruse, he accused the military of complicity. "There was no any justification whatsoever", Geidam roared, "to withdraw the military from that place knowing fully well that there is a girl school there with about 900 of them...They withdrew the military personnel last week, which was not even known to us" (Jannah, 2018). The army admitted withdrawing the troops stationed at Dapchi on January 10, to the Kanama area, along the Niger border. Yet, it refused to share the blame. The army claimed that the troops were withdrawn because the town was considerably safe and that police had assumed responsibility for the town – an assertion which the Yobe State Commissioner for Police denied any such handover or consultation took place (Crisis Group Africa, 2018:3).

The infighting, allegations and counter-allegations within the security forces notwithstanding, the security forces were slow in responding to the Dapchi distress calls before and during the raid. Just like the Chibok scenario, a myriad of calls and alerts flooded the security intelligence lines but it failed to react accordingly. Though the distance between Dapchi and the closest police station measured some 60km (an hour's drive), it took an hour after the abduction for soldiers to arrive and even so, they failed to pursue the abductors (Crisis Group Africa, 2018).



It took President Buhari some good 48 hours to react to, and acknowledge the rejuvenated embarrassing moment in Dapchi. Unlike his predecessor, he was ‘concerned’ enough to visit the scene of the attack but would incur opprobrium when he landed and walked on a red carpet to the abduction scene (Olowolagba, 2018).

Decrying the seeming state complicity, Crisis Group Africa (2018), berated the facts that:

the kidnappers were able to travel, in a convoy of several vehicles, across an arid expanse with the sparse vegetation, apparently close to 200 kilometres from their bases on the Niger border and Lake Chad, seize more than a hundred Dapchi girls and returned unhindered...are indictment of the government security provisions (4)

Both the security apparatuses, the government that controls them and the Yobe government that housed them at that moment, committed terrible blunders which beg for a plethora of rhetorical questions which of course, are implicit in this work. The security flaws and anomalies that surrounded the abduction of the Dapchi girls is resonated by the Crisis Group *Report* thus:

the government exacerbated errors in failing to prevent the Dapchi attack with additional missteps immediately afterwards. Its information management was particularly poor. Initially, it remained silent for 48 hours. Then the Yobe State government and local officials denied that any student had been abducted, and according to journalists in Dapchi, attempted to deter distraught parents from speaking out. Government and army spokesperson issued conflicting numbers as to how many girls were missing. On 21 February, the Yobe State government proclaimed that Nigerian troops had rescued the girls, then retracted the announcement less than 24 hours later. The incoherent responses...suggested that the first instinct of some officials is to obfuscate (Crisis Group Africa, 2018:5).

The awkward moments of DapChibok has incurred blames, censures, opprobrium and condemnations to both the terrorists, the governors of the different states and the presidents under whose administration, these reproachable events occurred. Are the states governors of Borno and Yobe culpable? Are the military apparatuses to blame? Are the presidents complicit? These are the fundamental issues that are implicit in our subsequent discussions.

The Structure of the Nigerian Security Apparatuses: Who is to Blame?

Security, conventionally, is the buzzword of every sovereign state. Protection of lives and properties of citizens, in recent times, has become so compounding and from every indication a *raison d'être* for self-governing societies. Whatever nature, structure and characteristics security might assume, citizens of every state possess the “Right to [be] Protect[ed]” (R2P) from whatsoever political entity they owe their allegiance. In fact, how independent and sovereign a state is, is proportional to how capable it is to suffice for its citizens’ security demands. Consequently, the International Commission on Intervention and State Sovereignty (ICISS) in 2001 had defined sovereignty “not as an inviolable legal right, but rather a delicate responsibility contingent upon protection of human population” (Murray & Mickay (eds), 2014:12-13). That is to say, the degree of state sovereignty is measured by how well it can offer security to its human population.

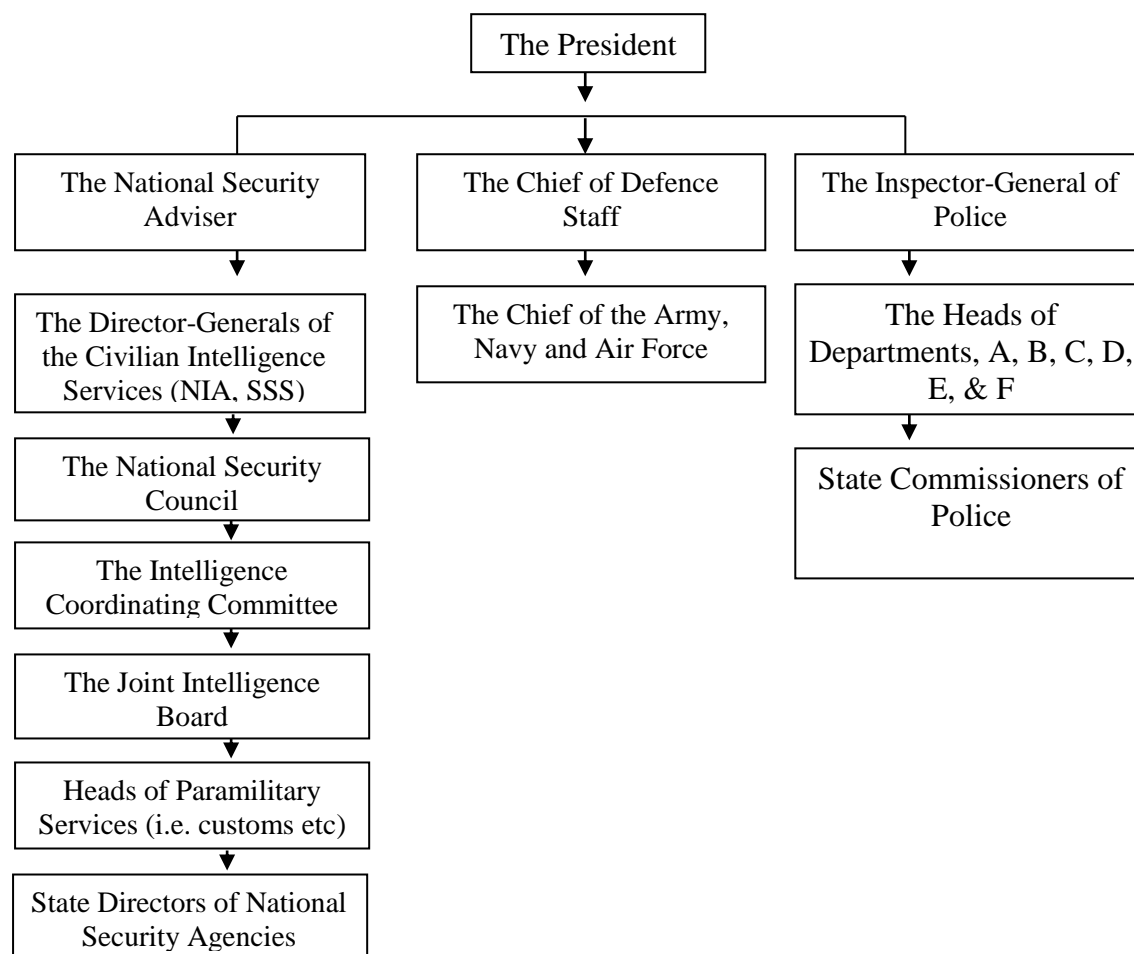


Figure 1: National Security Architecture

Source: Thomas, A. N. & Aghedo, I. (2014) "Security Architecture and Insecurity Management: Context, Content and Challenges in Nigeria" *Sokoto Journal of Social Sciences*, Vol.4, No.1. pp.31.

Nigeria as a country is not oblivious of such responsibility bequeathed it. Of course, the 1999 Constitution of the Federal Republic of Nigeria (as amended) has stipulated that "the security and welfare of the people shall be the primary purpose of the government" (Section 14(2)(b)). To this end, security is resonated not just as the primary objective, but as the *prima facie* to which the existence of the Nigerian state lends credence to. This informed the creation of the armed forces, the police, the border control agents and other security and intelligence agencies. In other federations and democracies of the world, defence is an exclusive of the federal government while policing is left on the concurrent list. Paradoxically, the structure of the Nigerian security apparatuses is highly centralised with a maximum brunt of duty and right to protect, laden on the federal government.

The federating units are nearly blanked out in terms of security responsibility and the governors of various federating units have nominal powers over the security dictates of the



territories they ‘govern’. They (governors) are excluded from the “National Defence Council”, “the National Security Council” but are admitted into the “Nigeria Police Council” to recommend the conferment and promotion of police officers of which they do not possess control over (see Tables 1, 2 & 3).

Table 1: Showing the Composition and Role of the National Defence Council

National Defence Council			
S/N	Composition	Position/Status	Role
1	The President	Chairman	
2	The Vice President	Vice Chairman	
3	Minister of Defence	Member	Advise the President on matters relating to the defence of the sovereignty and territorial integrity of Nigeria
4	Minister of Interior	Member	
5	Chief of Defence Staff	Member	
6	Chief of Army Staff	Member	
7	Chief of Naval Staff	Member	
8	Chief of Air Staff	Member	

On the other hand, the President (who is the head of the executive arm of the federal government) is not just the head of state and government but is also, according to the Constitution, “the Chief Executive of the Federation and Commander-in-Chief of the Armed Forces of the Federation” (Section 130(2)). The implication is that the President wields the “power to determine the operational use of armed forces” which in this case “consist of an army, a navy, an Air Force and such other branches of the armed forces of the federation”.

Table 2: Showing the Composition and Role of the National Security Council

National Security Council			
S/N	Composition	Position/Status	Role
1	The President	Chairman	Advise the President on matters relating to public security including matters relating to any organisation or agency established by law for ensuring security of the federation
2	The Vice President	Vice Chairman	
3	Chief of Defence Staff	Member	
4	Minister of Interior	Member	
5	Minister of Defence	Member	
6	Minister of Foreign Affairs	Member	
7	National Security Adviser	Member	
8	Inspector-General of Police	Member	

Defence, from all indications is traditionally a sacred role among the distinguished privileges exclusively handled by the centre in a federation. The translucent element generating confusion and controversy is on the control of domestic security apparatuses which as would be demonstrated, is also solely entrusted into the strained fists of the President and Commander-in-Chief of the armed forces. In essence, the police, as well as other paramilitaries, maintain a long chain of command line of which the President, on behalf of the federal government, determines the limit to which its pendulum swings even on issues of



dire security implications. Consequently, the responsibility for “the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulations” as well as that for “defending Nigeria from external aggression, maintaining its territorial integrity and securing its borders from violation..., [and] suppressing insurrection” is an exclusive of the federal government. The state governors, albeit granted ample geographical spaces to govern, are not in any way granted constitutional power to command, control or deploy any of the state security apparatuses and therefore are not responsible for the security of the space they govern.

Table 3: Showing the Composition and Role of the Nigerian Police Council

Nigerian Police Council			
S/N	Composition	Position/Status	Role
1	The President	Chairman	
2	Governors of all States	Members	
3	Chairman of Police Service Commission	Member	The organisation and administration of the Nigerian Police
4	The Inspector General of Police	Member	

As presented in Table 3, the only Security Council establishment which the governors are granted access performs organisational and managerial role not tactical or operational functions. In fact, the Third Schedule of the Nigerian Constitution stresses emphatically that the Nigerian Police Council by being granted the organisational and managerial oversight does not transcend to “matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force” (Section 28(a)).

To further ridicule the governors, Section 214(4) of the 1999 Constitution declares thus:

..the Governor of a State or such Commissioner of the Government state as he may authorise in that behalf, may give to the Commissioner of Police of that state such lawful directions with respect to the maintenance and securing of public safety and public order within the state as he may consider necessary, and the Commissioner of Police shall comply with those directions or cause them to be complied with: Provided that before carrying out any such directions under the forgoing provisions of this subsection the Commissioner of Police may request that the matter be referred to the President or such minister of the Government of the Federation as may be authorised in that behalf by the President for his directions.

The above seeming power granted the governors by the Constitution to utilise the police force at operational level is more of a Greek gift – a highly complex provision which does not bestow responsibility nor control but a seasonal tune of which piper, the federal government plays and dictates.

The overbearing centralisation of the security apparatuses has been mostly identified as not just a weakness but “a major explanation for the upsurge in the scale of violent insecurity and the poor delivery of Nigeria’s security architecture” (Thomas & Aghedo, 2015:31). The



evolution of such complex and rigid structure as discussed above, is not unconnected to the legacies of colonialism and still lends credence to the superstructure it left behind.

Nevertheless, state governors are most often time than not, erroneously referred to as “the Chief Security Officers” of their states – with the supposed prerogative of “being in charge” regarding issues of security within their domains. Though this position is misinformed and the appellation a systematic caricature, its social acceptance and usage is informed by the monthly largesse shared between the federal government (who is actually responsible for security) and the state governments as “security votes”. Hence, even as state governors lack the constitutional capacity and control over the security apparatuses operating in their state, they label themselves as “Chief Security Officers” to justify the influx of the sinecure and unaccountable fund christened security votes (See Egbo; Nwakoby; Onwumere & Uche, 2012; Okechukwu & Anyadike, 2013; Dada, 2015; Page, 2018). Of all the Security Council listed above, the governors are neither recognised nor entrusted with any active roles. Most importantly, the Nigerian Constitution has never mentioned the word “Chief Security Officer” neither has it accorded any of such or similar privileges to the state governors.

This informs the nonchalance attitude of the governors on issues of grave security concerns. It also culminates in the politicisation of domestic security – a fact which is explicit in the rhetoric, accusations and counteraccusations surrounding the abduction of the school children in DapChibok. As highlighted earlier, on the eve of the 2014 Chibok school girl abduction, Governor Shettima blatantly ignored WAEC,s admonition that centres be restricted to the heartland of the state capital, Maiduguri. And even when alerted of an impending attack, he did not swing into action. The proximity lag, indifference and constitutional sanctioned “irresponsibility” (on the part of the governor) led to the deterioration of situations before President Jonathan could wake a fortnight after the abduction to react – while taking additional five days to put a call across to the Borno state governor. Similarly, during the 2018 abduction of school children at Dapchi, Governor Geidam was oblivious of such development leading to his scandalous denial of the occurrence of such abduction whatsoever. The lacuna between the governor and the security structures on ground meant that it would take President Buhari some 48 useful hours to react. These are the sick sides of hypercentralisation in domestic security – that the federal government itself often time blames the state governors for security lapses points to the fact that there is an anomaly in the existing structure; that which must be fixed.

Towards the Doctrine of Security Legitimation: A Call for the Restoration of the Old Order

Before the colonial revolution, security in the traditional African setting was everyone’s business. Even with the high level of group homogeneity and unity of purpose, security was highly domesticated with specific roles cutting across families, clans, lineages, kingdoms and empires. At each unit, there were roles, duties, obligations and responsibilities and they were backed with traditions and conventions which accorded them nominal legitimacy. Absolute legitimacy at these various levels of organisation lied in the general acceptability of the roles and suzerainty of the leaders by their subjects. It was an all-inclusive system with level of (age) grades and institutions designed to organically suffice for policing at each basic unit of the society. Unlike now, every ‘security personnel’ was a member of the immediate environment, culture and people. Hence, there was no clear distinction between the governed



and the governors, the protectors and the protected and aside the large empires, the control over security apparatuses was liberalised.

It should be noted that centralisation of domestic security in a mosaic and diverse entity is in itself a source of confusion and insecurity – an unnecessary necessity – an obsolete innovation that needs to be done away with. Historically, hypercentralisation of domestic security chains is neither organic nor adopted in the best interest of the citizenry, but a sheer display of insecurity on the part of the federal government. It was in the best interest of the colonial government to exert maximum control over security command lines for protection was neither for the citizens nor the state, but for the colonialists and their interest. Hence, the major essence of scrambling security personnel across the various regions was to rid them of sense of sympathy, empathy and belonging – to make them ruthless, rude, and rudderless of colonial violence (see Ekpo, 2016).

The legacy, as stated earlier, is that security is seen as a thing of the state - a responsibility which the locals are absorbed from. It is also evidenced in the discord and strain relationship that exists between the local communities, their leaders and the security apparatuses. Security officers are not just loathed, but are perceived as strangers and enemies. Though they supposedly offer legitimate services to the people, their services are seemingly illegitimate to the beneficiaries. There is a high level of distrust and apparent securitisation of the state security agencies by the locals. The Nigerian Police Force is abreast with this development hence, its adopted hackneyed - “police is your friend”. Diffusing information to a security agent by a local comes with a stigma. The supposed patriot is derided and accorded a title – snitch. No one trusts him/her on sensitive information and his/her goodness and patriotic deed to the state is regarded as a disservice to his/her local community. That is the implication of security “illegitimation” and “irresponsibility”.

There is therefore, a need for absolute security legitimisation. Security legitimisation here is the process of domestication and devolution of aspects of community security responsibility from the federal government to citizens and heads of every unit of the society with a legally sanctioned prerogative which is exercised on a group and/or individual basis with the motive of garnering local support, acceptance and ferocious validation of actions against threats. It is a perpetual attempt at indigenising roles, duties and obligations as regards security to the various levels of societal organisation. Security legitimisation as a principle here, borders on the precepts of security being everyone’s business – a lucid harmony between the government and the governed on what constitutes threats, what makes them subjects/objects of threats, what is to be protected, who is to protect, the modus operandi of protecting, and of whose interest the general physiognomy of security portrays. There is however, a high level of lacuna between the government and the governor on the above listed queries.

Although one might argue that the present order, structure and control of security apparatuses in Nigeria is legitimate, we do not dispute that fact. Of course, we identify two types of security legitimisation here viz: nominal/peripheral and absolute legitimisation. Nominal security legitimisation defines a situation whereby the federal government (backed by necessary laws and conventions) withholds absolute control over domestic security procedures without or with minute community/local input and support. Absolute security legitimisation on the other hand defines a strong level of harmony between the federal government and its component units on what constitutes security threats and the best approach to collectively tackle them. It is thus, safe to say that the government possesses



nominal or peripheral legitimacy. By being enshrined on the supreme law of the land, the current dispensation of security order is legitimate for it carries the weight of the law and its supportive elements. However, the protected conceive of the security agents (most especially the police and the military) as objects of trepidation, intimidation, terror and 'insecurity'. There is little or no genuine communal and organic acceptance of security personnel. This scenario is compounded by the fact that officers are most times posted thousands of miles away from their aboriginal lands to police over a terrain they know very little about; a culture they could only manage to adapt; and a people who they can hardly trust and vis versa. Even so, there are millions of cases of brutality, extortion, framing, and other vices which make the people 'loathe' security officers and dread such officers of which culture is at variance with theirs.

Absolute security legitimisation would go a long way at ameliorating the gaps, lacunas and blunders which ridicules the Nigerian government. It would ensure that threats are contained at their earliest stages of progression and thus, save the government from expending billions on escalated conflicts and emerging crises. It would make the governors, the local government area chairmen, ward councilors and traditional rulers responsible and committed as responsibility naturally comes with commitment. As demonstrated in DapChibok cases in our work, it is clearly visible that nominal security legitimisation is a product of confusion and is defeating the very purpose of its essence. There is a need therefore, to restore to the old order by initiating processes towards absolute legitimisation of security.

What Needs to be Done?

- The 1999 Constitution of the Federal Republic of Nigeria must be amended in such a way that domestic security is liberalised and responsibility is given to the governors, chairmen, councilors and traditional rulers;
- The federal government should possess exclusive power over defence and supervise domestic security but should interfere in state security only when there are clear evidences that the state is unable to manage a particular security situation;
- The governors should be made the chief security officers of their states with an acute definition of their roles cum that of the chairmen, councilors and traditional rulers in domestic security; police and other paramilitary agencies should be responsible to the governor;
- Police should not just be recruited from the local area but should serve in their state and local communities where they master the terrain, culture and understand the people;
- The command structure from the Assistant Inspector General of Police upward should be proscribed;
- The State Security Service (SSS) as the national intelligence apparatus, should work closely with state security heads to coordinate and manage domestic intelligence and should be saddled with some national policing roles;
- State governors should be made members of the National Security Council;
- The functions of the Nigerian Police Council should be revised and the state police chiefs should be granted membership into the body;



- At the state, there should be a creation of the following security councils: Clan Security Council (CSC), Local Security Council (LSC), together with the existing State Security Council (SSC);
- The Clan Security Council should comprise the following: paramount ruler (chairman), ward councilor, clan heads, village chiefs, heads of local police units, youth leaders, district clergymen, business/market leaders, and others so considered. Their roles should revolve around support for intelligence gathering, monitoring and reporting of threat indicators and alternative dispute resolution; they should report to the LSC at stipulated intervals.
- The Local Security Council should consist: the local government chairman (chairman), the paramount rulers, the local police chief, council stakeholders, heads of selected associations, academia and private security establishments; their role should border around the assessment of the reports by the CSC, making recommendations and forwarding a comprehensive report to the SSC on stipulated intervals;
- The State Security Council should comprise: the governor (chairman), deputy governor (vice chairman), the state police chief as well as other security heads, council chairmen, and others deemed fit by the governor; the council should advise the governor as regards best way to tackle emerging threats to security;
- Security votes given to states should be utilised to service this various councils and keep them afloat with their responsibilities;
- The various paramilitary personnel should remain on the payroll of the federal government until a formula is defined for the gradual transfer of such responsibility to the state government;
- Aggressive sensitisation should be carried out to inform the locals of the changes and how they are now their brother's keepers.

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