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The Journal publishes articles from broad fields of study with at least one of the following criteria:

- Original empirical data collected and presented through acceptable scientific methods.
- Already existing data and with a unique or advanced theory.
- Practical cases in one of the following analytical dimensions:
 - » African ownership and commitment
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- Narrate and analyze undocumented events or practices with suitable academic rigour.
- Unless it is especially relevant to the present or is a critical account of a missing piece of history, biographic and/or autographic narratives are not published in this Journal. The Journal would particularly like to publish critical analyses of Africa’s social, cultural and political factors that influence peace and state building in Africa. It ultimately aims to gather cross-cutting themes that would inform policymakers, civil society, and academicians, and also advance the promotion of effective interventions across Africa. Unless explicitly specified in the call for papers of a specific edition, articles within this scope are considered for review.

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Editor's Note

With this volume of the AfSol Journal, we have brought together research findings that provide invaluable insights from academia with the objective of contributing to knowledge generation on emerging challenges in conflict prevention, peace building and sustainable development in Africa. The seven papers focus on issues such as international criminal justice and African states, counter-insurgency operations in Nigeria, the Al-Shabab and Boko Haram insurgencies and their subsequent impacts on foreign and security relations and human security, the role of media in peacebuilding at the subnational level in Nigeria, peacebuilding in war-torn societies as well as the socio-economic dimensions of xenophobia in South Africa.

In the first paper, Dr. Prize F.Y. McApreko analyses the strained relationship between the African Union (AU) Member States and the International Criminal Court (ICC). The author underlines the perceived unbalanced propensity of the ICC to try cases that mostly involve African leaders and individual putting into question the relevance of the ICC to the 21st century Africa and beyond. Dwelling on Critical Discourse Analysis as a methodology, the paper concludes that though the challenges the AU raises against the ICC are reasonably admissible, they are not compelling enough to justify an AU withdrawal since they are not of the magnitude that deprives the Court of its capacity to dispense justice.

In The evolving nature of foreign intervention in the Al-Shabab insurgency, Jacqueline Nakaiza points out the insufficient scrutiny of foreign interventions in combating Al-Shabab in Somalia. The paper subsequently delved into the impact of foreign interventions in the protracted Somali conflict following systematic review methods. As a result, the author drew a conclusion stating that although foreign intervention into the insurgency has not been without benefits, it has largely failed to deliver sustainable peace.

Olawale Akinrinde and Professor Usman Tar unbundle the question surrounding the political economy of the dialectics of xenophobia in South Africa. The content of their article is drawn from qualitative methods allying both primary and secondary data sources. Their analysis reveals that internal discontentment and contradictions in South Africa such as social and economic inequalities, corruption, leadership deficit, poverty, unemployment, illiteracy and political rhetoric that always pit indigenous economically and materially less privileged South Africans against foreign Africans that are in South Africa to eke a living and carry out their legitimate economic businesses underpin the political economy of the xenophobic violence in South Africa.

In Media and peacebuilding in Zamfara state: A study of an armed bandit conflict, Idris Mohammed examines the ways radio contributed to peacebuilding and promotion using the case of armed banditry and cattle rustling in Zamfara State. The findings of the study showed that radio served as an appropriate, cheap and easily accessible medium of disseminating peace messages; contributed considerably to the de-escalation of conflict; and reduced the frequency of conflict in the state of

Zamfara (Nigeria). Finally, urge the Nigerian Government to adopt policies aiming to involve radio in conflict resolution efforts for the advantages it offers.

In the fifth paper that establishes a nexus between Boko Haram insurgency and human insecurity in the north-east of Nigeria, Dr. Anene Chidi Pensive anchors his analysis on human security using a qualitative research framework. He argues that though human insecurity is a major driver of Boko Haram insurgency, the lethal and destructive activities of its actors have heightened and widened the spate of human insecurity amid debilitating food insecurity, physical harm, internal displacements and haemorrhaging refugee syndrome. The author finally concluded that the Nigerian government should thoroughly address human security challenges as military combat cannot overcome Boko Haram threat on its own.

Seun Bamidele and Taiwo Oladeji Adefisoye question the ability of the current security architecture of the Nigerian Civilian Joint Task Force (CJTF) to cope with the level of sophistication of the Boko Haram insurgency groups across the West African region. They explored the modality on which the CJTF would rely to fulfil its mission and the challenges it faces on the ground. In their analysis, they also came up with ways forward to strengthen the existing CJTF to achieve efficient counter-insurgencies operations in West Africa and Nigeria in particular.

In the last paper, Frederick Ifeanyi Obananya employs a qualitative research method to evaluate Nigerian civil war post-conflict peacebuilding. The paper highlights that the reason for the unsuccessful implementation of the policy of reintegrating the victims of the Nigerian civil war is the underlying factor for the consequent agitations for separation and protests in the country.

Nothando Maphalala

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How Relevant Is the International Criminal Court to the 21st Century Africa and Beyond?

Prize F.Y. McApreko

Abstract

Although the International Criminal Court (ICC) was examining some non-African situations by 2013, most of the Court's indictees happened to come from African conflict situations. As will be discussed later, this state of affairs was worsened by the arrest warrant on President Omar Al-Bashir while he was then a sitting president. This made the African Union (AU) feel unfairly targeted and, therefore, contemplate withdrawal from the ICC. Some African leaders have also maintained slanderous charges against the ICC describing it in uncharitable identities and questioning its modus operandi. However, given that the Court was established to dispense international justice for the commission of core crimes, the AU's contemplation of withdrawal evokes some pertinent questions regarding the future of justice on the continent should the AU eventually withdraw from membership of the Court. How justifiable is the AU withdrawal contemplation? Is this the best of options? What are the possible alternatives for the AU? How does the AU contemplation of withdrawal represent a conflict of interest? In which ways could the Court be strengthened to dispense the international justice for which it was established? In the wake of the aforementioned questions, this paper seeks to address the issue of how relevant the ICC is to the 21st century Africa and beyond.

Dwelling on critical discourse analysis as a methodology, the paper employs interdisciplinary perspectives featuring reflections on research in human rights, international law, political science and other relevant areas of interest and speaks to such probing concerns. This paper concludes that though the challenges the AU raises against the ICC are reasonably admissible, they are not compelling enough to justify an AU withdrawal since they are not of the magnitude that deprives the Court of its capacity to dispense justice. This means that the Court remains relevant to the 21st century Africa and beyond. The paper ends by proposing a framework within which the AU could contribute towards making the Court more functional.

Keywords:

ICC, international law, African Union, peace, international justice,

Introduction

This paper derives its essential motivation from the African Union's (AU) perception of the International Criminal Court's lack of even-handedness in executing its mandate of pursuing international justice. In this regard, the overall objective of the paper is to interrogate this perception, examine the AU's contemplation of withdrawal from the Rome Statute, and to probe the extent of relevance of the ICC to contemporary Africa. Being featured at a time when the continent is completely decolonized but largely remains a routine victim of governance challenges worsened by geopolitical machinations over six decades of political independence, it is historically significant. It is also particularly important as it comes around the year 2020, which the AU proudly dedicates to the objective of "Silencing the Guns in Africa." The year 2021 also marks an epic year in which the ICC scouts for its third Chief Prosecutor, following the end of mandate of its first African woman Chief Prosecutor, Fatou Bom Bensouda. Most importantly, perhaps, it comes at a critical time of the AU's heightened dilemma over whether to remain with or turn its back to the ICC.

For this paper, it is unfortunate that some operations of the ICC have incurred the displeasure of the AU thus depriving the Court of the enthusiastic support it once enjoyed from Africa's leadership and the AU itself. With a plethora of postulations and explanations being adduced by Africa's leadership for the continent's growing disaffection for the Court, Shilaho (2018), for instance, has contended that the perception that the ICC dispenses lopsided justice emanates from a historical antecedent that realpolitik, self-preservation and geopolitics have marred international criminal justice such that Africa's relationship with the West is steeped in humiliation thus making African rulers suspicious of Western-dominated institutions.

It is argued in other circles that some international norms, notably the responsibility to protect (R2P) doctrine which was unanimously adopted by the United Nations General Assembly (UNGA) at the 2005 World Summit, had the capacity of coercing Africa into opening itself up in a way that would eventually endorse the West to "invade" the continent with impunity. Referencing the North Atlantic Treaty Organization (NATO)-led intervention in Libya in 2011, for example, Nicholas Eramah (2019), contends that though mediation and prevention remain central to the R2P, some instances of its application, notably in Libya and Mali, suggested a concentration on Pillar III, the use of force by intervening states leading to misuse, misapplication and misinterpretation of security resolutions. Thus, in spite of the international community's assurance in the case of Libya, the country is worse off today, given that neither the removal nor the eventual killing of the then President, Colonel Muammar Gaddafi, restored peace. Instead, "... the country is now largely characterized by social banditry, insurgency, sectionalism and an almost total absence of a central authority." He argues further, "Mali has also shown how deeply flawed external interventions can end, in the sense that insurgency has increased tremendously with great consequences for the people of Mali."

Haunted by reminiscence of such considerations, coupled with the scourge of Africa's painful historical past at the hands of her colonizers, a school of thought upholds the view that some international institutions such as the ICC do not work in the interest of Africa's leadership and the AU. As a cause and consequence of systemic turn of events, Africa's leadership now maintains charges against the Court, questioning its very judicial independence, credibility and fairness. Many African states have described the Court in uncharitable identities including being pro-Western in character; a political instrument for disproportionately targeting African leadership; double standards, selective justice, and granting impunity to some Western leaders (O'Toole, 2017). As Rukooko and Silverman (2019) have it, "For many African states, the latest iteration of Western colonialism is the International Criminal Court. All the Court's prosecutions have involved African conflicts, and the continent's initially strong support for its creation has in recent years notably weakened."

Kenya's President, Uhuru Kenyatta, who endured an ICC indictment, is noted to have averred that the Court was a tool of global power politics rather than the justice it was built to dispense. Ugandan President, Yoweri Museveni, once described this Court as a bunch of useless people, while Rwandan President Paul Kagame once held that the Court was never about justice but politics disguised as international justice (Kuwonu, 2017). In fact, just as Herman Wilhelm Göring and his fellow Nazi defendants vilified the Nuremberg trials in the aftermath of World War II, some Africans hold the ICC in such vilifying disdain and highly discredited for its presumed bias against the continent.

At the same time when the AU advocates a rejection of the Court, other eminent and renowned Africans, notably Desmond Mpilo Tutu, have strongly risen to the proposition that the continent needs to remain under the watchful eyes of the ICC in order to ensure good governance and to avoid horrendous human rights atrocities which some African leaders perpetrate against their own fellow Africans. For Tutu, Africa has suffered the consequences of unaccountable governance for far too long to disown the protection offered by the ICC, and that those who advocate for AU withdrawal from the ICC are only looking for a licence to kill, maim and oppress their own people without consequences. Tutu admits that at a first glance, Africa's claim of bias may look plausible. However, the seeming focus on Africa should not be interpreted as an indictment on the Court's neutrality. Among others, this is because the establishment of independent tribunals to handle cases in former Yugoslavia, Cambodia and others has naturally narrowed the scope of the Court's activities (Tutu, 2013).

The position of Ghana's former President John Dramani Mahama (2015) on this issue is terse, insightful and profound. Though he is critical about some aspects of the ICC's work regarding Africa, and therefore expresses in strong terms that Africa feels targeted, he is quick to admit that the ICC serves a purpose and has relevance which is why Ghana is a member state. It is these two antipodal perspectives that legitimize the primary concern of this paper: to examine the relevance of the ICC to Africa. The paper begins by reviewing the historical antecedence of the ICC and weighing its responsibilities against evolving concerns of perceived bias against Africa. It then attempts an appraisal of the Court by examining the concerns of bias against the Court's mandate and its engagement so far. It invokes the centrality and essence of fairness in

the machinery of justice, the place of international law in international relations and raises the question of conflict of interest.

Background to the International Criminal Court

The need for establishing international tribunals to serve the greater interest of international justice by prosecuting authors and perpetrators of heinous crimes of genocide, crimes against humanity, war crimes and crimes of aggression (core crimes) dates as far back as events of the former Yugoslavia. Later, as a consequence of the horrific Rwandan genocide, a second ad hoc tribunal based in Arusha, Tanzania, was created for prosecuting persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring states between 1 January and 31 December 1994 (Shelton, 2014). It is instructive at this onset to indicate that “former Yugoslavia,” in this paper, refers to territories in South East Europe during a substantial part of the 18th century. Logically and historically, therefore, the establishment of such international tribunals neither originated from nor targeted Africa. Emphasis on this knowledge could contribute to dispelling the characterisation of the ICC as a tool for targeting African leadership.

On 25th May 1993, the United Nations Security Council (UNSC) unanimously adopted Resolution 827 for the establishment of an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the then Yugoslavia. This led to the establishment of the UN’s first special tribunal, the International Criminal Tribunal for Yugoslavia, to bring to justice those suspected to have committed atrocities in that territory since 1991. Bosnia and Herzegovina, Cambodia, East Timor, Kosovo and several others share comparable settings.

In the context of Africa, the UNSC adopted Resolution 955 in December 1994 and established the International Criminal Tribunal to try those responsible for the 1994 Rwandan genocide and other violations of international law in the country. In both cases, the underpinning objective was to bring perpetrators of injustice to face justice. With the passage of time, the growing frequency of ad hoc interventions that characterized various states made a compelling case for establishing a permanent criminal tribunal. It is such a deserved vision of dispensing international justice that gave impetus for the UNSC to take encouraging steps in establishing what emerged as the world’s first permanent International Criminal Court located in The Hague in 2002.

Thus, on 17 July 1998, 123 states met at the United Nations Diplomatic Conference of Plenipotentiaries in Rome and signed the Statute of the ICC to create the Court. Pursuant to the Rome Statute, and thanks to its careful definition of relevant crimes, as Shelton (2014) notes, coupled with other significant provisions, the Court purposefully limits itself in several important domains that justify it as a Court of last resort, when states are either unable or unwilling to adjudicate on some peculiar cases. To a very large extent, its unique role of complementarity serves, among others, to restrain the Court from arbitrarily engaging in selective justice even though it does have some substantial prerogative to pursue certain cases in which it has interests.

In this regard, the ICC was intended to complement existing national judicial systems and may, therefore, only exercise jurisdiction when certain conditions are manifest. For instance, the ICC is under obligation of establishment if an alleged crime was either committed within the territory of a State Party to the Statute or committed by a national of a State Party to the Statute (Art. 12); undertaking investigation or prosecution only upon referral by a State Party (Arts. 13 & 14); referral by the UN Security Council (Art. 13); or initiating proprio motu investigations subject to the authorization of the Court's Pre-Trial Chamber upon receiving credible information from individuals and organizations on crimes that fall within its jurisdiction (Arts. 13 & 15). The Court could also act upon referral from the UNSC subject to the authorization of a Pre-Trial Chamber of the Court. Where necessary, the Security Council may delay the Court's investigative or prosecutorial actions on cases for a renewable period of one year, if it so requests a resolution adopted under Chapter VI of the Charter (Shelton, 2014).

With such well-outlined parameters, the winds of optimism that catapulted the establishment of the ICC into prominence were so appealing, at least to politically independent African leadership at that time, to the extent that the continent's leadership warmly, willfully and willingly subscribed to its membership at their own instances to serve the broader interest of upholding international justice, including tackling impunity. Africa's membership of the Court increased making it appear even more of an African Court than an international one, so to say. In fact, out of the 123 State Parties to the Statute, as many as 34 out of Africa's then 54 countries ratified the Statute. From numerical and statistical perspectives, therefore, there is a comparatively high probability ratio that Africa's cases emerge at the top of the Court's dealings, and with a higher frequency too. For instance, Senegal, was the first to ratify the Statute while another African country, Burundi, was the first in history to start a withdrawal process and then eventually withdrew a year after lodging official notice to quit.

Additionally, several prominent Africans have served the Court in several important and influential capacities, and it is the view of this paper that these prominent people could not have condoned Africa's perceived bias. Between 2003 and 2015, Akua Kuenyehia of Ghana served as judge to the Court. She also served as the first Vice-President between 2003 and 2009. Today, its Chief Prosecutor, Fatou Bensouda, is an African from The Gambia. In the last decade, the ICC has sought to establish its niche and relevance in addressing global injustice by exercising its mandate. In doing this, most of the Court's indictees happened to come from Africa and this has provoked a bad relationship between African leadership and the Court. It is on record that under its pioneering Chief Prosecutor, Luis Gabriel Moris Ocampo (June 2003 – June 2012), the Court opened investigations into 12¹ situations out of which ten were all in Africa. Additionally, it had indicted 36 persons and issued arrest warrants for as many as 27 individuals, mostly from Africa.

¹ Burundi; 2 in the Central African Republic; Cote d'Ivoire; Darfur, Sudan; The DRC; Georgia; Kenya; Libya; Mali; Uganda and Bangladesh/Myanmar.

Some arguments “for” and “against”

Would the above confirm the hypothesis that the Court is discriminatory against Africa? Statistically, at least two of the cases were referred to the Court by the UNSC². As many as four³ cases, including Mali (2012), were willingly self-referred by African states themselves whereas three⁴ resulted from prosecutorial initiatives of the Court. These cases were all African but the underlying circumstances surrounding them may duly suggest a patent tribute to the view that the Court must have acted with good intent within its legitimate mandate and, therefore, presumably without inappropriate motive against Africa. Though the Prosecutor’s office by 2013 was conducting preliminary examinations into some non-African situations,⁵ the overall scales tilt hypothetically in favor of concerns that Africa is the primary target of the Court. Thus, Courtenay Griffiths, who acted as Lead Counsel for Liberia’s ex-President Charles Ghankay Taylor’s trial, lamented:

...I now submit that the following propositions are true: (a) The West’s appeal to the supposed universal principles of international justice is hypothetical. (b) NATO and the US, in the post-Cold War world, have embarked on a project to establish themselves as the global enforcer of international legal norms. (c) This role as “world policeman” has been adopted to protect what is seen as vital Western interests, particularly in the new scramble for Africa. (d) “Humanitarian intervention” is a fig leaf behind which the US and NATO (aka, “the international community”), mask their true intentions and goals, utilizing, where necessary, the legitimizing function of the UN Security Council (New African, 2012).

As a cause and consequence of systemic turn of events, African leadership including those who willingly referred their own cases to the ICC have levelled and maintained disparaging charges against the Court, which they once held in so high esteem. But as Rukooko and Silverman (2019) contend, it is important to appreciate that there are differing explanations for state referrals such that in the case of Uganda’s Lord’s Resistance Army (LRA), for instance, Rukooko and Silverman (2019) reference Mueller’s proposition that initial support for the Court was strong as long as its investigations centred on non-state actors (such as Uganda’s LRA), but when the focus shifted towards former heads of state and even serving presidents, self-preservation became the dominant response.

To what extent has the ICC lived up to its standards or erred?

Founded on high optimism about the future of international justice, it is fair to attempt a performance audit by way of prospects and challenges as they relate to African leadership. One could convincingly submit that the Court has made significant progress but like any other institution, it still has room for fine-tuning. In his keynote speech at the 20th anniversary of the Rome Statute on 17th July 2018, Judge Sang-Hyun, 2nd President of the ICC, noted the following:

2 Darfur, Sudan (March, 2005) and Libya (February, 2011).

3 Democratic Republic of the Congo (April, 2004); Uganda (January, 2004); Central African Republic (December, 2004): Mali (20012).

4 Kenya (March, 2010); Cote d’Ivoire (February, 2013); Burundi (October, 2017).

5 Notably in Afghanistan, Columbia, Georgia, Guinea, Honduras and Korea.

The monumental achievement of the Rome Statute is that it set up an entirely new paradigm of international criminal justice, which has made accountability for atrocity crimes an integral aspect of the rule of law that simply cannot be ignored any more. Now the world knows that perpetrators of the gravest crimes need to be, and can be held, accountable – in the first place by national courts, and failing that, by the ICC (2018).

Though the very African cases before the Court are the capital reasons for the AU's disaffection for the Court, this paper contends that, in spite of the AU's ill feelings about perceived targeting of Africa, the cases before the Court count in support of the ICC executing its legitimate tasks as captioned in the above quote. The AU's perception of African bias in keeping disproportionate focus on African leadership has created disaffection and some aura of credibility crisis from which the ICC needs to extricate itself as far as the AU is concerned. Weighing the numerous states and individuals whose conduct make them potential candidates for the Court, against those in which the Court has shown manifest prosecutorial interest, it appears suggestive, at least to the AU that international justice is not being dispensed by the ICC with the verve and momentum which the AU and some African leaders would have liked to see. It is in such context that this paper reflects critically on whether or not the Court has erred. A terse reflection on the legal responsibilities that bind member states might help appreciate the discussion better.

From the presentation relating to the background of the ICC, perhaps coupled with its nomenclature as an International Criminal Court, it should not be difficult to appreciate the legal and international status of the Court. What also needs to be emphasized relates to the legal obligations that bind the Court's member states. Whereas membership of the Rome Statute is a voluntary and sovereign decision left to the discretion of State Parties, members have a general obligation to cooperate with the Court on matters that relate to its investigations and prosecutions. Thus, "...a State which has referred a situation to the ICC can challenge the decision in the event the Prosecutor decides not to initiate an investigation; a State Party can challenge the admissibility of a case or the jurisdiction of the Court; and a State Party can submit *amicus curiae* briefs..." (The ICC)"

If "What is good for the goose is also good for the gander", then natural justice would have it that the ICC, in its quest to crack the long whip in favour of international justice, does to the rest of the world what it does to Africa and vice-versa. Otherwise, many people might be lured into suggesting that the apparent relative frequency of African cases before the ICC denies the Court of its neutral and international appeal except, perhaps, for its nomenclature. This would contribute to inflicting an unfortunate dent on the overall image and anticipated neutrality of the Court in ensuring an international justice regime. This argument is tenable if it is accepted that one of the hallmarks from which justice is derived is its philosophical theory by which fairness is administered without fear or favor. Such ideals of fairness exist within coordinates and notions of impartiality, disinterestedness, lack of bias and lack of prejudice.

Perhaps such considerations might have contributed to influencing those who question the neutrality and credibility of the Court. For instance, Hoile suggests that the Court's claim to international jurisdiction and judicial independence is institutionally flawed, and the reputation of the Court has been damaged beyond retrieval due to its racism, hypocritical stance and serious

judicial irregularities. For him and those who share his concerns, far from deterring conflict, the ICC has rather derailed delicate peace processes in some parts of Africa and they cite Uganda as a typical example. His Justice Denied: The Reality of the International Criminal Court (2014) documents such concerns.

It is not unfair to suggest that, irrespective of the gravity or frequency of core crimes committed in Africa for whatever reason, there are comparable, if not worse, crimes committed elsewhere. For many African leaders, therefore, the failure of the ICC to pursue such compelling cases across the world with the same alacrity it does in Africa is difficult to comprehend given that the Court is expected to serve as an international umpire. While this is worrying enough, the inability of the Court to convince the world beyond reasonable doubt that it is not deliberately targeting Africa and its leadership seems to make a case for its antagonists.

It also appears that the Court's supposed vested interest in investigating African affairs is further strengthened by its pursuit of Kenya's Uhuru Muigai Kenyatta and William Somoe Ruto even as they contested for the Presidency and Deputy Presidency respectively in their country's elections. That the Court could not be bothered even after the AU had requested for deferment of Omar Al-Bashir's case, as provided for in the Court's own Constitutive Act, further provoked sentiments about the Court's perceived anti-African bias. All these may have contributed to the eventual decision of the AU to declare a stance of non-cooperation with the Court. However, observing from distance, one cannot fail to see that the AU's non-cooperation stance is also stained with elements of conflict of interest, which as I shall argue later, undermines the ethical ethos of the AU in this matter and potentially weakens its case.

An overview of the AU's Declaration of Non-cooperation with the ICC

In May 2009 when the ICC indicted the then Sudanese President, Omar Hassan Al-Bashir, the oil-rich country rejected the basis and circumstances for indictment. Per Article 86 of the Rome Statute, member states of the Statute bore the primary responsibility to arrest and surrender an indicted criminal to the ICC because of their obligation to co-operate with the Court. Contrarily, African member-states that shared Sudan's sentiments side-stepped the ICC provisions of the warrant, and left the hook on President Al-Bashir to travel within and across their air and territorial spaces freely without let or hindrance. On 21-23 July 2010, he attended a meeting of the leaders of the Community of Sahel-Saharan States (CEN-SAD) without arrest. In August of the same year, he was a guest at the celebration of Kenya's new constitution. On 8 May 2011, he successfully travelled to Djibouti for the inauguration of President Ismael Omar Guelleh.

At that meeting, the European Union (EU) and leading human rights organizations called upon Chad, as a member state of the ICC, to arrest him but this was never done (Fordham International Law Journal, 2011). He had since enjoyed succor in the territories of several other African member states, including South Africa, where he attended an AU Summit in 2015 and easily flew out in a private jet despite the ICC arrest warrant served on him. In the words of Amnesty International (2015), "South Africa's government failed to fulfil its international legal obligation. Two open ICC arrest warrants had been laid against him, and a court order from South Africa's High Court

also prohibited him from leaving. South Africa's failure to act saw it join a list of states that failed to arrest and surrender President Al-Bashir to face trial." Obviously, he successfully managed to travel through several African ICC member states with notable ease.

Since July 2009, the AU has lived by its resolve not to co-operate with the ICC regarding his arrest and surrender. Until his detention in 2019, he remained one of the most high-profiled wanted persons of the Court, perhaps even after losing his presidency. The Union had indicated its concern that the President's indictment would have far-reaching consequences on Sudan's peace process which was then underway (African Union, 2009). Particularly, the AU expressed regret that its call for a deferral of proceedings initiated against President Al-Bashir, in accordance with Article 16 of the Rome Statute of the ICC, had neither been heard nor acted upon. On account of the above, among others, the AU raised flags over the posture of the ICC and finally decided that its member states shall not co-operate, pursuant to the provisions of Article 98 of the Rome Statute of the ICC relating to immunities, for the arrest and surrender of President Omar Al-Bashir.

By 2017, Burundi had taken an unprecedented step to becoming the first country to withdraw its membership from the ICC. Though South Africa and The Gambia had also contemplated similar actions earlier, they later rescinded their intentions. The case for Burundi is quite seminal in this discussion not just because it was the first country to do so. The action comes against the backdrop of a security crackdown and major arrests following President Pierre Nkurunziza's controversial third term bid which provoked violent clashes between pro and anti-government groups, the latter claiming the move was unconstitutional. The debilitating situations where incumbent governments in Africa have altered state constitutions to favor their controversial presidential extensions led to violent clashes and deaths abound on the continent (Africa News, 2019). Burundi stood accused of committing crimes against humanity including executions and torture for which the UN Commission of inquiry was urging the ICC to open prosecution. Burundi in turn accused the ICC of deliberately targeting Africa for prosecution (DW, 2017). However, according to Article 127, Burundi's withdrawal does not affect the jurisdiction of the ICC regarding crimes committed while Burundi was a member state.

The AU non-cooperation stance leaves several questions unanswered and, therefore, calls for further interrogation. The attempt to answer some of these questions leads this paper to the old quandary revolving around why and whether or not the pride of place should be given to peace or justice over the other, given that each has its own exigencies at any particular given point in time in politics. Proponents of the idea of peace over justice argue that the pursuit of justice and accountability creates more conflict in an already difficult situation. On the contrary, those who argue for justice and accountability exalt the conviction that durable peace cannot be established on the foundations of injustice. Katerina Mansour and Laura Riches (2017) set a good intervention, in the view of this paper, by observing that the peace versus justice debate is a false dichotomy. Nouwen's (2013) "no peace without justice ideology" plays a corroborating role by upholding an impartial judicial system which in turn offers an opportunity to accused perpetrators of violence to be acquitted or made to atone for their crimes in order that peace might prevail. Thus, impunity supported by injustice oils the wheels of conflicts and violence which eventually threatens peace.

In the light of the above, it is fitting to reflect critically on the question: “To what extent is the AU’s stance of non-cooperation a ‘forward’ or ‘backward’ or step in the fight against impunity?” In the view of this paper, granting this request could imply mortgaging impunity for immunity which would often leave offenders off the hook, and therefore a backward step in the fight against impunity. Though peace is desired, its pursuit should not be executed at the expense of justice because, whereas dispensing justice has great potential for ensuring peace, the same cannot be said of peace necessarily evolving from injustice and impunity. In the same vein, politics must be used neither to compromise peace nor to concede justice.

It is also important to mention that sometimes, it is not what we do per se that matters most but rather how we do it. Since the establishment of the ICC has comparable historical narrative with the establishment of other international ad hoc judicial systems and international special criminal tribunals such as the Special Court for Sierra Leone (SCSL), the operations of the tribunals have often been generally viewed in shared backgrounds and spaces (Barns, 2011). This has somewhat led to a misrepresented image of the Court. In particular, the trial of former Liberian President Charles Taylor exemplifies this. Following his arrest by Nigerian authorities near the Cameroonian border in March 2006, Charles Taylor made his first appearance in Freetown. Later, UN Security Council Resolution 1688 of June 2006 cleared the way for him to be tried in The Hague on account that his presence in the sub-region impeded stability and peace. Thus on 20 June, he was transferred to The Hague where his trial was conducted by the SCSL in the ICC facility. Thus, the SCSL only borrowed the facilities of the ICC so as to prevent destabilization in the sub-region due to the trial of a former president in a neighbouring country. Unfortunately, the mere fact that he was tried in the ICC facilities in The Hague elicited erroneous impressions that he was tried by the ICC and, therefore, perceived as one of the Court’s anti-African bias reference points.

A related case in question is the setting and timing within which former Liberia’s President Charles Taylor’s indictment and arrest warrant were served on the Ghanaian authorities. Its planned or sheer coincidence with Charles Taylor’s peace negotiation trip in Accra did put the Ghanaian authorities on a surprise footing. As Chacha Bhoke notes:

Following approval of the indictment, the Warrant of Arrest against Taylor was issued on 4 June 2003 while he was attending the Liberian peace talks in Ghana. Both the warrant and the indictment were e-mailed, faxed and personally served to the Government of Ghana for the purposes of arresting Taylor at about 8 AM that day. But, the authorities in Ghana turned down the Prosecutor’s request, and Taylor returned to Monrovia (2006).

The implication of this coincidence was that Ghanaian authorities in whose territory Charles Taylor was at the time were under primary obligation to co-operate by arresting and surrendering him. Obviously, however, such an execution under that circumstance could have been injurious to the tenets of privileges and immunities to which heads of state attending that meeting were legitimately entitled. Admittedly, by virtue of agreeing to be State Party to the Rome Statute, Ghana was obliged to effect the arrest. However, doing so within its role as host country could have implied betrayal. Granted that the Ghanaian authorities had fore-knowledge, they might have acted differently. It is also essential that irrespective of any other way the Ghanaian authorities

might have acted, it is critical that member states uphold and discharge their obligations to the ICC appropriately. A failure in this direction evokes issues of self-preservation or protectionism, which I discuss later in this paper, and betrayal of loyalty.

Mba Chidi Nmaju (2003) documents the background setting of this issue which I reference in two parts as follows: (1) “Mr Taylor accepted the offer of asylum from Nigeria, resigned and left the country. Arguably, Mr Taylor, who had just been indicted by the Special Court, would not have agreed to resign unless he was assured of some sort of amnesty from prosecution which in turn would have prolonged the crisis. Nigeria, while leading the negotiations, opted to grant him a safe haven from the Court so as to realize the more immediate goal of regional peace and stability” (emphasis mine). This paper is unable to establish the extent to which the objective of this intervention was to achieve the above emphasis or whether the resultant effect was mere coincidence or the result of popular demand for Nigeria to hand him over for trial. This is because some years after taking his asylum, pressure was mounted from within and outside Africa, arguing that Nigeria’s provision of asylum to Charles Taylor in an attempt to shield him was inconsistent with international law. There were several outpours of public outcry from interest groups notably, civil society organizations (CSOs) inspired by some non-governmental organizations (NGOs) rejecting this asylum. In a public document dated 11th August 2005, Amnesty International under the banner of Campaign against Impunity submitted:

“Two years after Liberian President Charles Taylor fled for exile in Nigeria, Nigerian President Obasanjo should no longer allow Taylor to escape prosecution for crimes against humanity and war crimes committed during Sierra Leone’s civil war (Amnesty International, 2005).”

“...it is imperative that the attendees know they are dealing with an indicted war criminal (American Society of International Law, 2003).”

As Mba (2007) notes further, “It should be appreciated that Nigeria’s offer of asylum prevented much bloodshed in Liberia. Furthermore, it was essential to keep Mr. Taylor out of Liberia, and crucial not to prosecute him until such time when the stability of the two states (Liberia and Sierra Leone) was ensured. The objective was to prevent a fresh outbreak of fighting by Mr. Taylor’s supporters. In 2006, after the election of a new government in Liberia and after both States had regained some measure of stability, Nigeria extradited Taylor to Liberia where he was arrested by UNMIL and transferred to the Special Court.”

Whereas this paper advocates neither for nor against the view that African initiatives such as this must be given pride of place over international norms and standards, it promotes that such fragile circumstances deserve to be accorded very delicate and intricate attention for timing, balance and prioritization of required actions so that “corporate” international diplomacy might reign higher. Relevance of ‘timing’ and ‘priority’ in the above quote could help shape the debate of when and how to prioritize peace over justice or vice-versa, but never to trade off one for the other. In any case, the Rome Statute was written clearly and unambiguously. The obligations of member states to arrest and surrender indictees within the mandate of the Court as well as its jurisdiction are part of such obligations. Its signatories were, therefore, not under any delusion when they ratified the

same. It is, therefore, imperative that unless such Rome Statute obligations are formally amended, the AU and its member states are required to actualize their commitments to the Statute.

On the other hand, the decision of some African State Parties to the ICC to refuse executing the Court's arrest warrant on President Omar Al-Bashir should persistently convey a permanent reminder to the ICC that it would always need diplomatic co-operation facilitated by the involvement of member states to ensure enforcement of its arrest warrants. This is obvious given that the ICC has neither inherent enforcement powers nor a standing army or police of its own to execute its arrest warrants. In the context of Africa, therefore, it may not serve the best interests of the ICC, and by extrapolation, international justice if the AU's feeling of being unfairly targeted is not well-addressed. Von Michiel Blommestijn and Cedric Ryngaert (2010) provide encouraging discussions revolving around issues of head of state immunity in relation to the ICC: A dichotomy between immunity from prosecution and immunity from arrest. It serves as a good reference point for considering options towards addressing this apparent challenge of the Court.

What Are the Foundations of These Accusations?

A common adage widely used by the Akan speaking people of Ghana, when literally translated into English, admonishes: "When you observe that your neighbour's beard is on fire, you better get a bucket of water close by (just in case yours also catches fire, then you can quickly use that water to quench yours)". The correlation here is that Africa's leadership believes that if they condone and or facilitate the arrest and surrender of their own kin to the ICC for whatever reason, tomorrow, it would be their turn to dance to the same unpleasant music. Naturally, therefore, it is in their best interest to do all within their powers to avoid such "traps" by standing firmly in "solidarity" with one another as self-protection or self-preservation. Should such "solidarity" syndrome persist, however, it will rather fortify impunity and this will weaken the Court's pursuit of international justice. Impunity must not be allowed to triumph over justice.

Commemorating the 10th anniversary of the coming into force of the Rome Statute, the New African Magazine published a Special Report on the ICC, in which Nicholas Waddel and Phil Clark (2012) lamented:

The fact that the ICC has focused so overwhelmingly on African situations prompts questions about why the gaze of international criminal justice falls on some places and not on others. The court's focus on Africa has stirred African sensitivities about sovereignty and self-determination; not least because of the continent's history of colonization and pattern of decisions made for Africa by outsiders.

Such concerns do not appear unfounded. Neither do they evolve from a vacuum. Indeed, it must take some reasons why an international court like the ICC, in spite of the largeness of its founding authority, mandate and its audacious promise to go after the biggest perpetrators of international crimes, should have such a seemingly perpetual exclusive fixation of interest on Africa while comparable grave core crimes are also committed elsewhere in the world on the blind side of such a powerful Court.

Chairperson of the AU Commission had the occasion to accuse the Office of the Prosecutor (OTP) of African bias, questioning why Argentina, Myanmar or Iraq was not incurring the same magnitude of the wrath of the ICC. Why, for instance, was it the case that even though the OTP had received information on alleged crimes in other parts of the world, including Afghanistan, Colombia, Iraq, Palestine and Venezuela, the Court remained comparatively sluggish over them? Here it is imperative to mention that the Court has opened investigations into Afghanistan on alleged crimes against humanity and war crimes committed since 1 May 2003. Innumerable conjectures, propositions and postulations on this issue of perceived bias abound. They revolve principally around the views that some of the most powerful states, notably the United States of America, have been deliberately left off the hook, and, therefore, question whether it is the case that such states are either just too powerful or too strategically positioned in global affairs to be touched by the ICC.

This bothers on the matter of jurisdiction, and it is important to emphasize that though the ICC was set up with the capacity to exercise jurisdiction over international crimes, it is restricted in the sense that it does not have universal jurisdiction. This limitation evolves from Article 12 (1) which provides: "A State which becomes a party to this Statute thereby accepts the jurisdiction of the Court with respect to the crimes referred to in Article 5". There is a further limitation on the jurisdiction of the Court regarding the territory within which a crime occurs as well as the nationality of the perpetrator. Thus, even though the United States is a signatory to the Rome Treaty, the fact remains that the US has not ratified the Treaty. By implication, therefore, the US cannot be bound by interventions of the ICC. Consequently, the US cannot be bound by the jurisdiction of the Court since is not a member state. By extrapolation, citizens of the US cannot be subjected to the Court's jurisdiction.

Under comparable circumstances, China, Russia, Japan, India, Pakistan, Israel and Turkey are some of the world's powerful states that, because they have not signed the Treaty, cannot be subjected to the jurisdiction of the ICC. In the case of Russia, it supported the establishment of the ICC from inception in 1998 and signed it in 2000 as well as its entry into force later in 2002 but in 2016, it formally withdrew from the Rome Statute and, therefore, cannot be under its jurisdiction (The Guardian, 2016). When such important details are brought into the public domain for better appreciation, it would help shape and re-orient the debate regarding some people's perceptions of bias about the ICC.

AU's non-cooperation: Is there a potential conflict of interest?

The impasse between the AU and the ICC could be summed up in the former's belief of selective prosecution, which when established beyond reasonable doubt, could sadly be one of the Court's Achilles' heels. As discussed earlier, the AU, which represents the continent's governments, has contended that its sitting heads of state should enjoy immunity from ICC prosecution. This paper argues that upholding such a position could offer a questionable protection for perpetrators of crimes punishable under the ICC jurisdiction and, therefore, needs re-examination. As argued in other parts of this paper, there are several instances of African leaders altering state constitutions through referenda, the transparency or otherwise has been responsible for violence. The objective

of such referenda appears to incline towards giving “legitimacy” to an illegitimate desire to prolong their mandates. This has often led to serious unrests, conflicts, violence and sometimes heinous crimes inflicted by incumbents on the opposition and the public: all of which undermine peace. What have the AU and member states done to prosecute such offenders? Should they not be held responsible for their decisions? If not, then why not? If yes, then the ICC is up to undertaking such tasks effectively.

In the view of this paper, the stance of the AU in *The Prosecutor vs. Omar Al-Bashir*, paradoxically triggers a potential conflict of interest, which might also come back to haunt and hurt Africa’s leadership. Whereas the AU may flag its non-cooperation as important for making its case heard and addressed, other members of the international community might see it differently. In the words of Amnesty International (2015), for instance, “...some states and the AU also continued their political efforts to undermine the independence of the ICC, and to ensure immunity from prosecution for its serving heads of state, even when accused of crimes against humanity and other crimes under international law.

Here emerges the contemplation of whether selective prosecution is defensible or even worth relying upon, especially when you are the victim. I contend that in jurisprudence, a defendant who argues against being held criminally liable for breaking the law, the reason being that the criminal justice system discriminated by choosing to prosecute him or her and not some other person(s) who have committed the same or comparable crime, tends to beg the question, if not run away from one’s own shadows. Such a position represents a tacit admission to committing a crime yet trying to escape or reject its legal ramifications. It is hereby submitted that this position may only make a beautiful case for logic but could be bound for failure when put to the test and scrutiny of legal processes.

Consider that when the police on duty invoke the discretionary privilege to determine which vehicles to randomly scrutinize at any checkpoint, one can hardly successfully argue one’s case out by suggesting that the failure of the police to scrutinize other vehicles means that the police unfairly or discriminatingly targeted him or her, as a result of which one must not be penalized for the crime when it is so established beyond a reasonable doubt. The substantive issue which would eventually prevail is: Yes, the process might have discriminated against you, but the overriding crux of the matter would reside on the legitimacy or otherwise of the charges preferred against you. Once the legitimacy is established, it effectively quashes the discrimination debate. At best, in the opinion of this paper, any counter-view will exist only as a secondary matter.

By extrapolation, painful as it might be, Africa’s cry of or the AU’s concern of selective prosecution at the hands of the ICC might be legitimate, but suffer severe setbacks because it fails, in the consideration of this paper, to disestablish the suggested guilt if established by a competent court of judicature, granting that the Court diligently applies all standards of fair trial. To this extent, it detracts substantially from the AU’s cry of discriminatory or unfair targeting, making it hardly defensible in its truest sense. Though this paper deeply shares Africa’s concerns and predicament, it would love to see Africa’s leadership rising above the banner of unfair targeting to negating the charges preferred against its leadership. It is also the conviction of this paper that if Africa

could establish substantial prima facie case of bias against Africans in the judicial proceedings of the ICC so far, it would make a more compelling and blistering appeal than being speculative, more so because neither Africa nor the AU appears to have questioned the competence of the Court's prosecutors.

Where then is the conflict of interest?

In advancing the proposition on conflict of interest, I am persuaded that a situation that has the capacity to undermine the loyalty or impartiality of an individual or group's public or self-interest breeds fertile grounds for conflict of interest to flourish. By creating a condition where the AU wishes to serve its self-interest and that of the ICC, both of whose primary interests are now competing for superior recognition, Africa's leadership, in the opinion of this paper, finds itself trapped in a circumstance that makes it an unfortunate victim of conflict of interest. This is because the AU might be striving to serve the ambivalent self-interest of non-prosecution as self-protectionism, and the obligation to honor interests of ICC. Now that the AU, in the interest of self-defense, flags its stance of non-cooperation in defiance of ICC norms and protocols that bind the AU, the situation sets in motion, an African leadership struggling to serve the conflicting interests of both the AU and the ICC concurrently.

This is comparable to Africa eating its own cake and still wanting to have it. If it is defensible that regulating conflict of interest is one of the cardinal aims of political ethics, then it is reasonably admissible that one of the surest ways for Africa's leadership to extricate itself from this quagmire is to commit to serve the interest of only one of the conflicting interest groups: the AU or the ICC. This effectively implies denouncing one of its self-interests, or quitting one of them honorably. Otherwise, I am afraid the AU might lack ethical fortitude to question ICC's operations. Whereas quitting the ICC would effectively keep the AU outside the umbrella of the ICC, such a move would tend to protect the self-interest of such AU leaders and regimes who commit core crimes, or even seek to remain in power at all costs, including by illegitimate mandate extension through referenda that lack credibility. This will obviously not augur well for the peace, democracy and stability of such African countries.

The case of *The Prosecutor vs. Omar Hassan Al Bashir* typically exemplifies the foregoing assertions on conflict of interest. The accused was President of the Sudan and by default, a member of the AU, which is signatory to the Rome Statute establishing the ICC. The AU indicates that its sitting heads of state should be entitled to immunity from judicial actions of the ICC especially as it revolves around the indictment of fellow AU member, President Omar Al Bashir, a view which the ICC rejects as unmeritorious. This places the AU in an awkward position where one of its cardinal interests is at variance with that of the ICC to which it still owes allegiance by virtue of its membership of the Rome Statute. The refusal of AU member states to co-operate in effecting his arrest clearly demonstrates conflict of interest. This paper acknowledges that since his arrest and detention in the military uprising of April 2020, there have been substantial talks between the ICC Chief prosecutor and Sudan's transitional government leading to the latter agreeing to Omar Al-Bashir standing trial before the ICC. This new development, notwithstanding, does not

negate the held conviction of this paper regarding AU and Africa's leadership being enmeshed in conflict of interest. The AU needs to address this concern in order to strengthen its case.

What are the implications for Africa's peace and human rights regime?

It is understood that the AU's declaration of non-cooperation does not automatically mean it supports human rights infractions with impunity which eventually undermines peace and security. Instead, the AU is using its stance of non-cooperation to underscore the need for rejecting impunity beyond Africa. However, since impunity for egregious human rights violations has wide-reaching ramifications, AU's stance must not directly or indirectly be seen or interpreted as favouring impunity on the altar of immunity.

AU's dedication of the year 2016 to human rights remains an encouraging self-attestation to the importance which Africa accords to the uncompromising place of a flourishing human rights regime. As the AU echoes the prime place of human rights in its strategic Agenda 2063 under "Our Aspirations for the Africa We Want", which in part, commits itself to the ideals of an Africa of good governance, democracy, respect for human rights, justice and rule of law, it is important that Africa works comprehensively in order not to leave any protection gap for the victims of core crimes whose only solace could reside in delivery of justice in its truest sense for perpetrators of core crimes. The AU's continuum of non-cooperation with the ICC as well as its threat to quit the ICC could reverse the above ideals and visions.

Challenges for international law and international politics

Sir Arthur Watts (1999) was right in his observation that there seems to be no doubt that across the board, international law is an important part of the structure of our international society. As a result, states accept it as such, and their record in observing it bears comparison to the level of law observance in many countries. This makes the respect for international law a corporate part of today's international affairs and the global governance system. This should not be taken for granted if a stable international order is to prevail, especially including in relatively conflict-prone Africa. In the context of human rights, Makau Wa Mutua's view that since the Second World War, international human rights law has become one of the most pre-eminent doctrines of our time ought to be deeply appreciated because of the consequences which core crimes impose on human rights (1999).

In a similar vein, the preamble of the UN Charter makes it clear enough that one of the most primary objectives of the UN since its establishment is the development of international law. This is not difficult to understand for, in the absence of international law, there could hardly be any system to regulate international relations, especially including in times of aggression against a county. The world in that context could degenerate to one comparable to the state of affairs in George Orwell's legendary Animal Farm, where the dictum of "all animals are equal but some are more equal than others" reigns supreme. It is in this context that international law seeks to define and regulate the legal responsibilities of states in a broad spectrum of issues such as laws relating to human rights, international crimes and several others. The place and role of

international law in the global system, of which Africa is a part, is obviously so well-established that it can no longer be underestimated.

In the context of the Rome Statute, all its signatories are under obligation to respect international laws guiding the conduct of the ICC's legally recognized operations to which its member states are signatories. By common standards of application, therefore, the failure or refusal of a member state to comply with such tenets provides sufficient discomfort to raise legitimate questions. This paper would contend that it amounts to "questionable" conduct for any state (African or not), to maintain its membership and yet refuse to respect its regulatory norms. In the opinion of this paper, one way out is the option of engaging in dialogue and available conflict or dispute resolution mechanisms.

Should such available options fail, then member states who feel uncomfortable within the jurisdiction of the ICC might be better off withdrawing entirely after exhausting all available channels for resolving conflicts. Otherwise, such countries are likely to be seen in the wrong limelight within international circles, and this could negatively impact the courtesies needed to be extended to them in international relations.

In applying John Rawls' "Veil of Ignorance" concept as upheld in the Fairness Principle, Benjamin Franklin once reasoned: "Justice would not be served until those who are unaffected are as outraged as those who are." This is best appreciated in the idea that, when considering whether we should endorse a proposed law or policy, we can ask: "if I did not know whether this would affect me or not, would I still support it?" This is based on the view that those who make big decisions that shape the lives of large numbers of people are almost always those in positions of power. And those in positions of power are almost always members of privileged groups (FS, 2017). Another variant of this holds that certain species of ants, even though they are able to form colonies alone, would often band together to form more productive colonies. However, once the first group of worker ants reaches maturity, the queens often fight to death until one remains.

The analogy here is that, when they first form a colony, the queen ants are behind a Veil of Ignorance since they do not know whether they will be the sole survivors. All they know, on an instinctual level, is that co-operation is beneficial for their species. This symbolizes strength in unity. Like the people behind the Veil of Ignorance, the ants make a decision which, by necessity, is selfless. By implication, the AU stance of non-cooperation should be informed by selflessness rather than self-preservation. In the absence of this, are there other viable alternatives to the ICC? This forms the central thesis of concern in the ensuing paragraphs.

What are Africa's viable alternatives?

There are several significant formidable reference points for believing that, in spite of other grim circumstances, Africa's leadership remains reasonably committed to protecting human rights and rejecting impunity on the continent. This view finds merit in the marked departure from

‘indifference’ to ‘engagement’ which reflects one key underlying justification for the transformation of the Organization of African Unity (OAU) to the current AU. In July 2015 in Senegal, the historic trial against former Chadian President, Hissène Habré symbolized a watershed moment in international justice as it was the first time that a court in one African state had tried a former leader of another African state. This demonstrates the capacity of African states to actively broaden the spaces for justice to prevail over injustice, and to engage impunity effectively, all other things being equal. Since its creation under the aegis of the then OAU, the African Charter on Human and People’s Rights (ACHPR), also referred to as the Banjul Charter, has remained an important charter of international repute for its multi-faceted uniqueness including the norms it recognizes and the supervisory mechanisms it has. The African Court is certainly worth mentioning here, and the list and several tangible initiatives go without an easy limit.

But to which side of the pendulum should Africa swing? Creating its own Court and withdrawing from the jurisdiction of the Rome Statute or retaining its membership of the ICC yet side stepping some of the Court’s tenets? Ghana’s former President John Dramani Mahama’s position on this issue is significant, diplomatic, insightful and profound. For him, Africa feels targeted, but at the same time, he admits that the ICC serves a purpose, and has relevance (Conflict Zone, 2015).

Other critical questions that need to be asked include whether Africa would be better off without the ICC. Does the failure of the ICC to engage evenly by intervening in cases of core crimes in other geographical territories of the world disestablish the basis for its current investigations in Africa? Does this negate the crimes that have been leveled against the continent’s indicted persons? This paper lends itself to the proposition that Africa has a unique opportunity to use its contemporary circumstance as an excellent entry point to challenge the exclusion of Africa’s voices from international discourse and to court the principle of non-discrimination in its favour towards altering the status quo.

At the same time, Africa’s leadership has enormous opportunity to make the ICC less of an enemy by ensuring a regime that distances itself from the mandated prosecutorial interest of the Court. Thus, if the AU can ensure that Africa’s leadership properly manages its political governance and leadership challenges so that the ICC would have no justification for indicting them, it would have taken decisive steps towards keeping the ICC at arm’s length.

Many Africans would celebrate the success story of an African version of the ICC provided that Africa can surmount and survive the overall inherent challenges it imposes. On that score, emerging questions could include: What would be the broader scope which Africa’s leadership would hope to claim by establishing its own version of the ICC? Is it the selective justice or foreignness of the Court which should warrant such initiative? Would it be a scheme to narrow the limits of international justice to Africa alone while the continent still depends on the international community for other resources? Would it also mean that Africa would not be interested in injustice anywhere else? To what extent would this fulfill the ideals of “African solutions to African problems”? Several genuine challenges stare at this noble idea. Justice delivery is terribly expensive and one wonders how Africa will meet the necessary economic resources, especially in a COVID-19 and post COVID-19 epoch when global economic fortunes would certainly have suffered great losses.

Over six decades into independence, Africa has not convincingly demonstrated financial independence though it has political independence. In the past years, for instance, funding of the AU has traditionally come largely from the “Big Five” (Algeria, Egypt, Libya, Nigeria and South Africa). Worse still, even at the international level where Africa speaks in bold and erudite fashion about the New Partnership for Africa’s Development (NEPAD), which this paper considers one of AU’s most successful initiatives since the transformation of the defunct OAU, the idea of “partnership” has often been functionally paralyzed. This is because Africa still leans heavily on funding under varying nomenclature from the international community to propel its development and other related projects. Where then does the “partnership” lie when Africa cannot have the leverage of financial equilibrium or economic authoritative voice to speak to the financial needs that underline its partnerships?

In the 21st century, it is not out of place to say that some African leaders are still overtly involved in nepotism and corruption (Devex, 2021). African governments are continuously accused of openly usurping state apparatus, state institutions and the power of incumbency to temper with national constitutions in order to unlawfully perpetuate their stay in office. In turn, democracy continues to be heavily desecrated through lack of electoral integrity though some good progress is being made. Popular African countries whose images are dented in this domain include Burundi, Cameroon, Chad, Republic of Congo, Djibouti, Guinea, Ivory Coast, Rwanda, Togo, and Uganda (ReliefWeb, 2019). Over time, the consequences of such untoward acts provide “appropriate” circumstances that make some of Africa’s questionable leaders potential candidates for core crimes which the ICC so bitterly abhors, and over which the Court exercises jurisdiction. Will, and can an “African Criminal Court” effectively and decisively intervene in such situations?

Africa’s leadership and political independences have come a long way, but still have a long way to go. While there might be better alternatives to make the ICC more effective and global, the ICC, like other institutions, also has challenges. As Fatou Bensouda herself noted at the historic international conference organized by the Ghana Institute of Management and Public Administration (GIMPA) under the theme: “The International Criminal Court & Africa: A Discussion on Legitimacy, Impunity, Selectivity, Fairness and Accountability” (March 2016), African countries owe it to themselves and posterity, a duty to help nurture the ICC to fight impunity, adding that though the ICC had done much, a lot remains to be done (Daily Graphic, 2016).

Since African leadership submitted itself to the Rome Statute voluntarily, it should, in the view of this paper, consider co-operation and engaging in effective consultation and dialogue for constructive reforms rather than engaging in non-cooperation. The successful walk back to “freedom” of Kenya’s Uhuru Kenyatta and William Ruto in 2015 after their ICC indictment should offer glimmers of hope that, all other things being equal, other indicted African leaders can have fair trials in order to clear their names, and emerge triumphant over the ICC. It is important to emphasize, however, that the Kenyatta/William Ruto prosecution suffered poor patronage including due to witness intimidation and the very weakness of the ICC case against them. This notwithstanding, Africa’s leadership, so long as it keeps its clean hands, should not panic at the mention of ICC.

Admittedly, ICC's perceived unfair selective prosecution may be real, offensive and a betrayal of the very justice over which it seeks to preside but it appears that Africa's cry of wolf only elicits an illicit shift of emphasis from the status quo. In any case, it might serve as a better option for any indicted person to face the ICC squarely in order to prove one's innocence than to run away from truth and justice. But for this to have meaning, the ICC should step up its pursuit of true justice in the spirit of holistic interpretation of fairness in other territories too.

The much talked about transformation of the OAU into the AU over a decade ago also came on the waves of high anticipation for a brighter future for Africa, for it was equipped with enhanced administrative mechanisms, including notably, greater authority to intervene in the affairs of its member states. Perhaps not much has been achieved in this direction except for sanctioning member states who use coup d'états (unconstitutional paths) to seize political power. Such sanctions, in the opinion of this paper, have not been punitive or deterring enough. This does not encourage the conviction that Africa is ready yet for its own version of the ICC.

The relevance of the ICC to 21st century Africa

That investigations into non-African cases have been opened is suggestive of the fact that the ICC is operating in international spaces and, therefore, dilutes the view that the Court has a fixated eye on Africa. Besides, even though there are varying reasons why some African states referred their cases voluntarily to the ICC, the referrals themselves bear significance to the relevance of the ICC on the continent. That the current leadership of the Sudan, as recently as 2020, agreed to subject deposed President Omar Al-Bashir to the prosecution of the ICC is an important endorsement recognizing the relevance of the Court to Africa. This is especially so, considering that it was his arrest warrant by the ICC that provoked the AU's non-cooperation declaration back in 2009.

At least two high profiled African leaders, Kenya's President Uhuru Kenyatta and former Ivorian President Laurent Gbagbo, have survived prosecution at the ICC. Whereas in the case of the former, there was poor witness interest, in the case of the latter, as observed by a BBC correspondent, "... the ruling demonstrates the judges' independence and impartiality and makes it harder to push the narrative, popular among those who fear the long arm of the ICC, that the court is a biased weapon of neo-colonial justice used purely to convict African leaders." Additionally, as Janet Anderson, a writer for the Justice Tribune, told the BBC, "It's important also to find people not guilty or to find there isn't a case to answer if there isn't one (2019)." By these, the ICC has made itself locally relevant to Africa in the sense that it provides a reputable international platform of opportunity for indicted persons to establish their innocence and be free.

It is also critical to mention that for all the ICC indicted African high profile personalities, no African country has demonstrated the capacity to host their trials in their country. This is suggestive that, if the ICC could not do so, the case in question could have been one dead on arrival. This is indicative that Africa, at least as it stands today, is hardly capable of providing the necessary infrastructure which the ICC provides. This is fairly illustrative that the ICC is still relevant to 21st century Africa. For instance, though there were significant geopolitical reasons for the indictment of former Ivorian President Laurent Gbagbo, his extradition to The Hague in

November 2011 played a key role in restoring relative peace to Côte d'Ivoire after the country was plunged into civil crises that bothered on elections. France, for instance, was supportive of his arrest as could be seen in BBC's reportage of his acquittal: "Mr Gbagbo was captured in 2011 in a presidential palace bunker by UN and French-backed (emphasis mine) forces supporting his rival, Alassane Ouattara (2019)." Without this intervention, Africa could have found it difficult to handle the situation owing to the potential multiple violent effects associated with grave human rights abuses that could have emerged in the country and its impact on the sub-region and the continent at large.

The mere presence of the ICC with its current structures, powers and jurisdiction injects some fear into African leaders who contemplate crimes within the ambit of the Court. It is becoming increasingly appreciated that no matter how long one escapes from the ICC, its long arms of justice will eventually catch up with its victims. The existence of the ICC alone, therefore, serves an important relevance to African leaders and their involvement in core crimes.

This paper suggests that the AU's desire to have its membership withdrawn en mass from the jurisdiction of the ICC is conceived out of bad faith, and the Union should rescind this decision since it has failed to establish irrelevance of the ICC. Many of the African cases brought before the Court were willingly sent there by African leaders themselves. It, therefore, becomes hypocritical for Africa to turn round and cry wolf about the same Court. This rather amplifies the relevance of the Court to Africa. Given that Africa's leadership and the AU itself acknowledge the importance of the ICC, except that it wants to see the Court going after other criminals in the West, is indicative of the Court's relevance to the continent. In the end, the letter and spirit of the Court's establishment as far back as 2002 remains as relevant today as it was then to the 21st century and beyond.

Conclusion

While there are significant challenges associated with operations of the ICC, the AU needs to establish convincingly beyond reasonable doubt that the Court's interventions on the continent are unmeritorious. Africa's displeasure and frustrations at the Court's posturing, though born out of legitimate concerns, do not stand out robust enough to justify withdrawal from the ICC without a strategic alternative. Denouncing the ICC on account of its weaknesses is comparable to the Ghanaian proverbial reasoning that throwing a baby away with the dirty water in a basin only because the baby has soiled itself is a bad judgment: better keep the baby and deal with the dirty water.

In the larger interest of international jurisprudence, especially for victims of core crimes who otherwise are not likely to find the solace of justice anywhere else, the AU is encouraged to give diligent and delicate pride of place to engagement, dialogues and negotiations in place of non-cooperation. Should the AU eventually insist on exiting the Rome Statute, it would serve the interest of Africa and the cause of justice for the AU to establish and ensure that an effective alternative court is made fully functional and operational before quitting the Rome Statute. This would ensure that a "prosecution gap" is not created for perpetrators of core crimes. A failure in

this direction could damage the enhanced authority of the AU, and threaten to plunge Africa into an abyss of dark ages.

The ICC should demonstrate that it is rising above real or perceived unfairness in order to regain the AU's needed trust and co-operation so as to justify its status as an international umpire. There is sufficient proof that both the ICC and the AU need each other as ever before.

It is the view of this paper that Africa's peculiar circumstances do not give it a commanding leverage for operating an effective African version of an ICC that will be capable of surviving the test of time. At the same time, the paper believes that the ICC ought to be more conscious of the fact that, since it would need to depend on African leadership to get its work done in Africa, it should take Africa's concerns on board.

It is finally the submission of this paper that it fails to be persuaded into identifying with the AU's non-cooperation stance. Thus, the International Criminal Court remains as relevant to 21st century Africa and beyond, just as it was at birth. The AU and the ICC should, therefore, stand together to strengthen their individual and collective weaknesses in order to make the ICC a formidable international force to reckon with.

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The Evolving Nature of Foreign Intervention in the Al-Shabab Insurgency in Somalia

Jacqueline Nakaiza

Abstract

In many countries, foreign intervention is part of the response to terrorist insurgency. In Somalia, however, it has attracted mixed reactions. Integrating military, humanitarian, political, economic and administrative support from the African Union, United Nations, the United States and the European Union, foreign intervention here has been lauded as it has been loathed. Indeed, it has been blamed for sustaining and expanding the insurgency to Uganda, Burundi and Kenya. However, hitherto, the merit and demerit of foreign intervention in the insurgency have not been scrutinised. It is against this background that this study delved into the impact of foreign intervention in the conflict—to generate insights for the better resolution of the insurgency and similar conflicts. Following systematic review methods, recent writing on foreign influence in Somalia was analysed. This led to the conclusion that although foreign intervention into the insurgency has not been without benefits, it has largely failed to deliver sustainable peace. However, the insurgency has ripened such that prioritisation of engagement is recommended. Research into the readiness of the foreign actors, Al-Shabaab and a transitional government to engage in peaceful resolution of the insurgency is also recommended.

Keywords:

Foreign intervention; Islamist insurgency; Al-Shabab; Somalia

Introduction

For close to three decades now, Somalia has endured an intractable conflict. This has exacerbated a regional refugee crisis (UNHCR, 2015), fuelled the proliferation of arms in the region and, over the last ten years, led to gruesome terrorist attacks in Djibouti, Kenya and Uganda. Although the major players and immediate causal factors in the insurgency have evolved significantly over the years, authors on the subject concur that the core factors underlying the conflict are rooted in state failure following the downfall of Siad Barre in 1991. The main factors include foreign influence in the affairs of the country by the United States, Ethiopia, the African Union Mission in

Somalia (AMISOM) and various members of the European Union and clanism whose insurgent organisation is structured around warlords and radical Islam.

Since 2006, the conflict has been sustained primarily by Al-Shabaab. The group describes its mission as fighting towards the establishment of an Islamic caliphate with strict adherence to Sharia Law in the country (Bryden, 2014), coupled with irredentist claims of Somalis living in the Ogaden region of Ethiopia and Somalis living in Kenya. The group also aims at ridding Somalia of any form of foreign intervention (Harper, 2012; Wilner, 2011) an effort in which it faces off with the nascent government and its foreign supporters, notably the European Union, United States and the African Union Mission in Somalia (AMISOM). Over the years, the Al-Shabaab has not only increased the frequency of its attacks in Somalia but also expanded its cells from its cradle in Mogadishu to as far as Kampala and various parts of Kenya, including Nairobi, and inspired violent extremism in Mozambique (ASPI, 2019). The group has also expanded its fundraising and propagandist cells to the United States, Canada, New Zealand and Sweden among other countries in the West and affiliated itself with Boko Haram in West Africa and Al Qaeda in the Middle East.

Over the years, various efforts have been made by numerous state and non-state actors to build peace and stability in the country (Fisher, 2019; Hearn & Zimmerman, 2014; Ingiriis, 2018a; Khalil, Brown, Chant, Olowo, & Wood, 2019; K. Menkhaus, 2007b; Menkhaus, Sheikh, Joqombe, & Johnson, 2009). These efforts have been four-fold: 1) Humanitarian, 2) State building, 3) Peacebuilding, and 4) Counter-terrorism. Attempts have been made to implement the above by the African Union through AMISOM, the Intergovernmental Authority on Development (IGAD), European Union, United Nations, Turkey, United Arab Emirates (UAE) and the United States although they have been defied by the insurgency.

Although a number of authors affirm the weakening and suffering defeat of Al-Shabaab (Harding, 2016; Williams & Hashi, 2016), others (Anzalone, 2016, 2017; Ingiriis, 2018a; Khalil et al., 2019; Okereke, 2013; van Wilgenburg, Azamy, Siddique, & Winter, 2015), most concur that the group is remarkably resilient. It retains a significant capacity to shift its operating bases, forge new coalitions, mobilise resources, spread propaganda, recruit, and plan and execute ever more disastrous attacks. Even if the insurgency has reached a hurting stalemate (Anderson, 2016), sustainable peace remains elusive.

Theoretically, foreign intervention in Somalia is pinned by the just war theory or *jus ad bellum* principle for intervention in conflicts (Walzer, 2002). It utilizes the more contemporary responsibility to protect (R2P) norm which calls on the international community to take on collective action in a timely and decisive manner and in accordance with the UN Charter (UN, 2005). Somalia has perpetually failed to secure its territory and protect its populace from self-destruction and is suffering the resultant regional instability from Islamist groups that have created a burden to the international community. From the perspective of just war theory and R2P, military deployment in Somalia was morally acceptable since the situation in the country satisfied the fundamental principles calling for foreign intervention. Ethiopia and Kenya intervened while acting in self-

defence, while AU/AMISOM intervened to protect Somalis from the civil war that resulted from state collapse and the resultant exposure of the population to a humanitarian crisis, displacement and starvation. AMISOM's and individual African governments' intervention was particularly justified in recourse to the international communities' reluctance to deploy their troops to Somalia, hence the need for an African-led intervention.

This state of affairs points to the need for investigating how well the state building, peacebuilding and counter-terrorism interventions by state and non-state actors, in particular the African Union/AMISOM, European Union, Ethiopia, Gulf States, United Nations, and the United States are being implemented to build peace and stability so as to address the root causes of the insurgency and to reach value judgements on the reasons for the obstinacy of the insurgency. This paper reports the findings of a study that was conducted to respond to this need by tracing the evolving nature of foreign intervention in the insurgency over the years of 2006 to 2019 and why these interventions failed to deliver sustainable peace in Somalia. Most of the interventions prioritised militarised measures geared towards isolating Al-Shabaab. However, none has been effective to this day but left the insurgents a major security challenge for Somalia, East Africa and the international community. For years now, the conflicting parties have been in a military stalemate without a decisive winner, hence, there is a need to shift the focus of interventions from the isolation of Al-Shabaab to engagement with the conflicting parties for a peaceful resolution of the conflict in Somalia.

Methodology

The study was conducted as a qualitative review of literature on the Al-Shabaab insurgency and foreign intervention. It started with searching the keyword 'Al-Shabaab' and 'foreign intervention' in scholarly and news databases—because this is where most of the writing on the subject is indexed. A total of 472 articles (including journal articles, books, reports, policy briefs and news reports) were identified. These covered the period starting 2006, when Al-Shabaab reportedly started its insurgency, to 2019.

Writing across the entire period of the group's lifetime was considered because its goals, strategies and tactics, as well as responses to the same, have evolved over the years. Seminar papers on the subject were identified and the papers to which they referred. The relevant footnotes and bibliographies of the articles and books the database searches had yielded were examined. Once the articles were identified, they were compiled into a catalogue after which they were read and subjected to content analysis. The analysis was compiled on a review checklist where information was abstracted. During the final phase of the study, these abstracts were cross-referenced to each other, thereby exposing the characterisation of writing on Al-Shabaab, foreign intervention and the promoters of terrorist insurgency¹ that this writing identified.

¹ UN Security Council Resolution 1566 (2004) defines terrorism as, 'criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act while insurgency is a protracted political-military struggle directed toward subverting or displacing the legitimacy of a constituted government, controlling the resources of territory using irregular military forces and illegal political organizations (US Government, 2012).

Domestic Factors Underpinning the Al-Shabaab Insurgency in Somalia

The Al-Shabaab insurgency in Somalia is underpinned by two major domestic factors: 1) prolonged state failure; and 2) chronic insecurity.

Prolonged State Failure

State failure in Somalia started during the reign of Siad Barre when the state lost its monopoly of the use of violence, and parallel militias and warlords started springing up. By then, the government could not ensure the protection and security of its population, maintain law and order and provide the much-needed public goods. In 1991 after a coup that saw the overthrow of Barre's government, the country experienced total state collapse resulting in a total vacuum of authority (Elmi & Barise, 2006; Mwangi, 2012). In due course, the country fell under the control of powerful and heavily armed warlords and clan militias with widespread clan-dominated violence. The competing warlords and longstanding clan conflicts prevented any single faction from seizing control decisively enough to effect widespread and lasting stability in the country (Agbiboa, 2014). After 9/11, the international community grew increasingly concerned about failed states as they could be used as safe havens for extremist and terrorist groups that could take advantage of the prevailing anarchy to launch their subversive activities.

The desire to provide some semblance of law and order in Somalia after years of anarchy prompted some Muslim clerics to form functional Sharia courts to provide justice (Barnes & Hassan, 2007). These courts were very successful at dealing with criminality, but enforcement of the courts' judgement depended on the militias recruited from clans. By 2006, these courts had become very popular, spread throughout Somalia and had increasingly started providing other social services as well as managed to restore peace and security for the first time in years (Barnes & Hassan, 2007). Mueller (2018) notes that by 2006, the Islamic Courts Union (ICU) had consolidated power and controlled seven out of the ten major regions in southern and central Somalia². The Islamic Courts Union also had plans of unifying the country under Islam instead of solely by clan allegiance (Jones, Liepman, & Chandler, 2016). However, the increasing popularity of the Islamic Courts Union and the radical elements within it unsettled the Transitional Federal Government (TFG) and its major backers, in particular Ethiopia, which felt that the ICU was dangerous to its security (Ingiriis, 2018b). A segment of youth and military wing of the ICU, 'Al-Shabaab' increasingly became radical and extremist and led a military campaign against the TFG and Ethiopian troops in 2006. Since then, Al-Shabaab has become the major protagonist in the insurgency, framing their fight as a nationalist struggle against foreign occupation and advocating the establishment of an alternative government in Somalia founded on the principles of Sharia law and an Islamic caliphate in the region including parts of Djibouti, Ethiopia and Kenya with ethnic Somali populations (Barnes & Hassan, 2007; Jones et al., 2016).

² Regions controlled by ICU included Gedo, Barawe, Lower Shabelle, Marka, Kismayo and Mogadishu (Barnes and Hassan, 2007)

The prolonged state failure which left the country with no functional central government also left many parts of the country with ungoverned spaces which in turn allowed different militia groups/jihadists and terrorists including Al-Shabaab to operate unencumbered in these spaces as their safe-havens. Al-Shabaab exploited the safe havens mostly in southern and central Somalia, where they built a secure network of camps, not only to train their fighters but also to exploit a system of taxation and extortion from the businesses to raise funds. Southern and central Somalia have been particularly conducive for Al-Shabaab operations because of the lack of state presence in this region unlike Somaliland and Puntland that declared autonomy and have been generally responsive to their citizens' needs hence acquiring localised support and legitimacy which in turn denied Al-Shabaab operational space (Horton, 2019, 2020). In turn, Al-Shabab also provided Somalis in these areas with basic government services like security, justice and education which enabled Al-Shabaab to gain a great deal of goodwill and popular support among the Somalis in these areas (Elliot & Holzer, 2009).

Chronic Insecurity

The prolonged state failure in Somalia, coupled with chronic insecurity which has prevailed since the country fell in the hands of powerful warlords and clan militias with no functional central government, led to the proliferation of small arms and light weapons that aided the arming of Somalis. Elmi and Barise (2006) note that the availability of weapons in Somalia initially was the result of Somalia's strategic location, where the two Cold War superpowers (the former Soviet Union and the US) competed to arm the former president, Siad Barre, in return for strategic military bases, and the Ethiopian regime, which was itself arming different opposition groups within Somalia. The continued years of the civil war enabled militias to continue obtaining all sorts of weapons which they have used to commit crime.

Mwangi (2012) opines that the absence of a functional central government to perform the core functions of providing political and economic goods and services created authority and legitimacy crises that may subsequently have led to state collapse. According to different authors, (Iggiiris, 2018; Shire, 2020; Williams, 2020) Somalia still lacks a functional government that adequately provides these services and the government generally remains weak. This played in favour of Al-Shabaab which provides education and training, justice and security, food and arms distribution, local level administration and public works, and employment primarily in the central and southern regions of Somalia due to the continued government failure to deliver these essential services. The decades of conflict in Somalia got most ordinary Somalis, especially the agricultural communities, in the middle of fighting and episodes of persistent drought and famine that caused enormous suffering to the Somalis who lost their assets and livelihoods (Morolong, 2007). The conflict has also had a very high toll on human lives leaving thousands of people dead from conflict or starvation. Millions of Somalis were left evicted as internally displaced persons (IDPs) and they are currently estimated at 2.7 million (Human Rights Watch, 2019) while those who took refuge in neighbouring countries are said to be over 750,000. Others spread across different parts of the world creating a protracted refugee situation and a massive Somali diaspora (UNHCR, 2020).

The total collapse of the economy, the resultant widespread poverty and underdevelopment created a very big pool of perpetual volunteers recruited into clan militias, Islamist groups and piracy activities. To replace the ones killed, warlords in Somalia use lawlessness and violence as a means to economic ends because those businessmen whose activities would be questionable legally and morally had links to warlords in the different warring factions. Skjelderup et al, (2020) note that Somali businessmen influenced clan elders; funded the court's militia; and provided hardware, the so-called "technical"³ to enable them to battle the faction leaders. Al-Shabaab later exploited the links to businessmen, who would supply the insurgents with weapons and vehicles used in the war such as battlewagons described by Webersik as "pick-up trucks with mounted machine guns" (Webersik, 2004). Al-Shabaab also collected taxes from these businessmen to be able to fund its activities. Interestingly, like most modern Jihadist groups, Al-Shabaab has over the years mastered the art of exploiting and working within local economies. The group continues to mobilise funds from businesses in Somalia even beyond areas under its control which it does in a form of collecting zakat (BBC, 2020). It retains the capacity to extract resources from local businesses which it uses to buy arms, recruit and train, send trainees to al-Qaeda-controlled territories, provide alternative services, and develop capacity. These endeavours present the group as a more attractive and effective alternative to the Federal Government of Somalia (FGS) in the eyes of some communities and business actors who keep sustaining it.

Chronic insecurity motivated foreign influence in the country which came with efforts to provide humanitarian aid; rebuild the state and counter-terrorism; as well as resolve chronic insecurity and prolonged state failure. However, this foreign influence has been construed as a miscalculation and misjudgement of the foreign actors because the country was plunged into increasingly intractable conflicts and sustaining insurgency. The US and the Transitional Federal Government-backed Ethiopian invasion of Somalia caused massive anti-foreign and anti-western sentiments and radicalised the group that continued to reject the nascent foreign-backed Federal Government of Somalia.

Foreign Influence in the Al-Shabaab Insurgency

Somalia has attracted multiple foreign interventions over the spanning decades (Harper, 2013). These have been undertaken primarily by state and non-state actors including African regional bodies (AMISOM and IGAD); individual African states (Ethiopia, Eritrea and Kenya); Gulf states (Saudi Arabia, Syria, Qatar, and the United Arab Emirates); the Somali diaspora; Western donor countries and the EU; the UN and other international organisations; the United States and foreign Islamist movements.

African regional bodies

The AU supported the IGAD-led peace process of 2003-04 which brought the Somali Transitional Federal Government into power. IGAD has been consistently engaged in trying to solve the

³ To Webersik, (2006) the word 'technical' allegedly derives from the need among aid agencies to account for expenses spent on the hire of the services of armed groups who owned battle wagons. Aid agencies accounted these security costs as 'technical expenses'.

Somali conflict and bringing the crisis to the attention of the international community. Through its member states, IGAD has organised 15 peace conferences for Somalia (Mulugeta, 2009). IGAD is also the main interlocutor for the EU in Somalia and has been an important actor in brokering the peace processes in Somalia (Ehrhart & Petretto, 2012).

The AU intervened in Somalia in 2007. This was with authorisation from the UN under Security Council Resolution 1744. The resolution allowed the AU to deploy AMISOM as a peacekeeping force (Ehrhart & Petretto, 2012; Oksamytna, 2011a). Its major mandate was protecting the TFG, keeping the Kismayo port and the Mogadishu airport safe and operational. However, this mandate has kept on evolving over the years. The latest AMISOM mandate authorised by Security Council Resolution 2568 (2021) underlines the need for Somalia and its partners to take a “coordinated and cohesive” approach towards Somali-led political and security reforms to ensure the transition of security responsibilities agreed upon by the Somali authorities, the Somali security forces, and AMISOM from the outset. Therefore, AMISOM is mandated to: 1) enable the gradual handing over of security responsibilities to the Somali security forces contingent on abilities of the Somali security forces and political and security progress in Somalia; 2) reduce the threat posed by Al-Shabaab and other armed opposition groups; and 3) assist the Somali security forces to provide security for the political process at all levels including stabilization, reconciliation and peacebuilding in Somalia. Over the years, AMISOM has suffered heavy losses from repeated Al-Shabaab attacks and has been accused of pursuing its own interests ranging from the killing of civilians instead of protecting them while focusing on the protection of government officials, sexual exploitation and smuggling (De Waal, 2017; Williams & Hashi, 2016). It should be noted that as much as AMISOM managed to weaken Al-Shabaab, especially around Mogadishu and other major cities and towns, AMISOM and the Somali National Army have to this day failed to secure southern and central Somalia, even Mogadishu itself permanently and Al-Shabaab still has the capacity of carrying out prolific attacks any time. But, AMISOM has also had substantial military gains against Al-Shabaab and allowed political processes and supported the Federal Government of Somalia to establish a presence in parts of central and southern Somalia which was not the case previously.

Even then, AMISOM is working on security transition so that the Federal Government of Somalia and Somali National Forces take lead for the security of their country founded on the UN’s norms of Responsibility to Protect which argues that it is the responsibility of each state to protect its populations. To achieve this, AMISOM has worked with the United States and the European Union to train the Somali National Forces as well as prepare them for this transition. AMISOM is also reducing its troops in Somalia partly because of inadequate funding and also because of the divergent views especially from donors about the performance of the mission. The proposed drawdown of AMISOM troops from Somalia by 2021 and transfer of some security responsibilities to the Somali National Forces have been received with mixed reactions. There are increasing fears that the drawdown will enable Al-Shabaab to regain control over areas it had initially lost to the Federal Government with the support of AMISOM.

Individual African States

In 2005, the UN advised against the proposal by the UN Security Council and IGAD arguing it would be unwise for neighbouring frontline states to deploy peacekeeping forces in Somalia due to the negative consequences that could arise (Williams, 2019) and consequently did not grant them an exemption from arms embargo (World Peace Foundation, n.d). However, the conflict in Somalia posed and still poses serious threats to the neighbouring states. There are spillovers including security threats from terrorist attacks, refugee problems, economic problems, trafficking of small arms and light weapons, and recruiting and radicalisation of nationals in the neighbouring countries all of which provoked neighbouring states to intervene. Indeed, by 2014 Djibouti, Ethiopia and Kenya had all deployed their troops in Somalia for they all had vital interests and were prepared to pay the cost including war collateral.

Ethiopia intervened in Somalia out of its longstanding fear of an Islamic state in its direct neighbourhood but also out of the desire to protect its territorial integrity because Somalia has longstanding territorial claims on parts of eastern Ethiopia predominantly occupied by ethnic Somalis. This fear was exacerbated by the call of the ICU to establish a Greater Somalia including Ogaden, the eastern region of Ethiopia which is home to many Somali people (Hoehne, 2009). Ethiopia grew increasingly uncomfortable about the call by the ICU to establish an Islamic State and invaded Somalia towards the end of 2006 with the backing of the US and the TFG (Bamfo, 2010; Menkhaus, 2002; Menkhaus, 2007). Ethiopia's invasion of Somalia led to unexpected and unprecedented resistance and radicalisation among the Somali population and attracted resistance from Al-Shabaab, which looked at the invasion as a foreign occupation (Dias, 2013; Menkhaus, 2007a; Page, 2010). Some authors such as Menkhaus (2003) have noted that Ethiopia has a hidden agenda in Somalia and is a consistent spoiler of the peace processes and seems to prefer a perpetuation of state collapse or a weak government that exists on Ethiopia's terms.

Eritrea, on the other hand, intervened in Somalia to fight a proxy war with Ethiopia (Dersso, 2009) by supporting the ICU with the supply of arms and was majorly driven by the desire to frustrate Ethiopia (Abbink, 2003; Bradbury, 2009; Browne & Fisher, 2013; International Crisis Group, 2006; Morolong, 2007). Elliot and Holzer (2009) concur that the ICU received arms supplies from Asmara, Eritrea's capital, along with supplies from various Arab sponsors such as Egypt, Iran, Libya Saudi Arabia and Syria (Financial Times, 2006). The war between Eritrea and Ethiopia (1998-2000) had led to a strategy on the part of both rivals to support each other's adversaries within Somalia.

Kenya's role in the Somali conflict remained neutral for many years. Kenya was involved in many of the mediation processes and hosted many peace processes meant to reconcile the conflicting parties. The major one of these was the IGAD and international community-led Mbagathi peace process between 2002 and 2004 that produced the TFG (Tavolato; Webersik, Hansen, & Egal, 2018). Kenya was the last individual African country to invade Somalia in 2011 with the claim of protecting its security and sovereignty from the Somali Islamist groups such as Al-Shabaab and the Somali pirates under operation in Linda Nchi (Abdi & Hogendorn, 2011; Atta-Asamoah

& Kisiangani; Miyandazi, 2012; Throup, 2012). Kenya later joined AMISOM in 2012 (Dias, 2013). As much as Kenya invaded Somalia with the claims of protecting its sovereignty from Al-Shabaab, which was recruiting fighters from Kenyan Somalis and other Kenyan Muslims and kidnapping tourists and aid workers in northern Kenya, there are authors such as Williams (2019) who argued that Kenya's invasion of Somalia was partially motivated by self-interests. He contended that Kenya took advantage of the invasion and its joining AMISOM to control Kismayo Port and influence the leadership of the Federal State of Jubaland which borders with Kenya. It should be noted that Kenya shares a land border with Somalia which it needs to protect for socio-economic benefits. The existing border disputes between Kenya and Somalia go as far back as 1900's. Kenya also hosts a very large number of Somali refugees and has a large population of ethnic Somalis. Somalis, especially those in the diaspora, have invested in Kenya's economy. Hence Kenya has to wade off all its enemies that can cause instability including Al-Shabaab.

Kenyan businesses benefit from the export of charcoal through Kismayo Port even when these exports are banned by both the Somali government and the United Nations (Soliman, 2013). Kenyan businesses have engaged in illicit smuggling activities (Halakhe, 2020). Politically, Kenya has immersed itself in Somalia's domestic politics by influencing and setting up a proxy regime in southern Jubaland by supporting Ahmed Islaam 'Madoobe' even when he was not supported by the Federal Government of Somalia (Browne & Fisher, 2013; Halakhe, 2020; Mutambo, 2019; Soliman, 2013; Warah, 2019), a clear indication that Kenya has all along been trying to establish some form of influence and control in Somalia. Indeed, the Somalis have always argued that their neighbours do not intervene in good faith and that both Ethiopia and Kenya want to establish regional administrations that are friendly to them.

The Somali Diaspora

Somalia has a very big and powerful diaspora population spread across the world which is very active in Somali affairs. This Somali diaspora population has been generated out of migration as refugees and displacement resulting from the three decades of war. The current Somali president and prime minister and almost half of the Somali parliament are members of the diaspora (Menkhaus, 2018; Webersik et al., 2018). Even the former president Sheikh Sharif Sheikh Ahmed and other Somalis that were holding key government positions were from the diaspora (Sheikh & Healy, 2009). Members of the diaspora equally contribute to the leadership of Al-Shabaab to the extent that 43 out of its 85 members of the executive council were from the diaspora (Hammond, 2014).

The Somali diaspora plays a key role in sustaining the Somali economy and the families back home through remittances valued at US\$2 billion annually. This is estimated to constitute 25-40% of the country's economy (Ibrahim, 2020). The diasporas are also the major business owners and investors, and just like the majority of the Somalis in Somalia, they agree to the idea of getting rid of foreign influence in their country and establishing a government based on the principles of Sharia law. The Somali diaspora is a major source of funding for the Islamists militias, recruitment of young foreign fighters mostly from the US and Europe (Hoehne, 2009; Page, 2010), and spreading of jihadist propaganda by those who can use computers and the internet and also have

knowledge of the English language (Wise, 2011).

However, it is important to note that this strong Somali diaspora has contributed to the conflict directly or indirectly and continues to do so due to its economic power and involvement in Somali politics. It influences the local balance of power to pursue its interests. It continues to fuel regional and clan tensions going to the extent of arming the clan militias and warlords (Webersik et al., 2018). Annovi (2020) notes that there is an increasingly growing anti-diaspora sentiment among the Somalis due to the diaspora domination of key positions in politics and administration blocking access to these positions for the Somalis who have borne the brunt of decades of insurgency. The diasporas assume the positions irrespective of their contribution and support in the local peacebuilding and state-building of Somalia.

The Gulf States

The Gulf States, mainly Saudi Arabia, United Arab Emirates, Qatar, Egypt, Kuwait, and Yemen have had a significant place in shaping the politics of Somalia. Turkey, which is not part of the Gulf states, has also over the years increasingly aligned with Qatar in its dealings in Somalia. Saudi Arabia has historically been Somalia's major Arab donor that sent teachers and funded religious schools in Somalia. It offered scholarships to Somalis to study in Saudi universities which in turn produced rapid growth of the puritanical Wahhabism in Sunni Islam (Morolong, 2007). This concurs with Bacon and Muibu (2019) who note that Gulf donors had long funded education and social services in the failed state and brought with them a more conservative interpretation of Islam. Bacon and Muibu (2019) add that many Somalis sought education and worked abroad including in the Gulf, Egypt and Pakistan and they too learnt conservative Islam which they brought with them back home when they returned.

The Gulf states have participated in, facilitated and hosted several peacebuilding conferences which they did through personal, diaspora and religious networks (Harper, 2013). However, Saudi Arabia and Qatar have been accused of funding the Al-Shabaab. Turkey has been engaged in Somalia increasingly since 2011 in political and humanitarian affairs to respond to the famine crisis and instability (Ozkan & Orakci, 2015) and has developed infrastructures such as health facilities and schools including a military academy. It has also offered scholarships for Somalis to study in Turkey (Webersik et al., 2018). As much as the Gulf states have had historical and cultural relations with Somalia, their intervention in the country is said to benefit their interests such as the sale of arms and other disguised business interests. It is also important to note that the 2017 Gulf Crisis among members of the Gulf Cooperation Council introduced a new twist to Somalia's instability. Saudi Arabia-United Arab Emirates severing of diplomatic relations with Qatar because of rivalries and competing security interests and their insistence that other governments worldwide including Africa follow their lead (International Crisis Group, 2018) pitted the Federal Government of Somalia against many of Federal member states creating a serious challenge for state-building. Mogadishu and the Federal Member States needed strict adherence to the principle of neutrality; however, this seems elusive given the fact that factions among political elites in Somalia have mastered the art of manipulating foreign influence to their

individual, clan and regional advantage.

Western Donor Countries under the EU

The EU is engaged in Somalia through a comprehensive approach based on active diplomacy, support for political change, improving security, development assistance and humanitarian aid (Daemers, 2014) so as to avoid the escalation of transnational security challenges such as the piracy emanating from the Somali coast and the Al-Shabaab insurgent group with links to the al-Qaeda (Ehrhart & Petretto, 2012). The EU has an increased focus on building the capacity of Somalia's security forces and national ownership through training. The EU launched the European Union Training Mission (EUTM) in 2010 to train Somali forces by transferring expertise and performance to the local actors with the aim of strengthening the Transitional Federal Government and Somali institutions (Borrajó & de Castro, 2016; Holzer & Jürgenliemk, 2012). It also provides financial support for the training of the Somali police through the UNDP Rule of Law Programme (Webersik et al., 2018). The Union has played a key role in shaping international policies towards the country (Bayne, 2001). It is the biggest funder of development aid in Somalia and also the major funder of AMISOM (Oksamytna, 2011a, 2011b) In 2020 alone, the EU provided €48 million for humanitarian projects in Somalia and has given €319.5 million since 2017 for development cooperation, political dialogue and crisis management including efforts to counter piracy (The African Peace Facility, 2019). It also launched its first maritime operation EUNAVFOR Somalia to counter-piracy attacks (Oksamytna, 2011a).

The EU has been a firm supporter of the peace and reconciliation process initiated under the auspices of IGAD since the end of the 1990s, culminating in the Somali National Reconciliation Conference in Eldoret, Kenya, in the autumn of 2002. The conference, after the dictatorial government of Siad Barre collapsed in 1991, was the starting point for a renewed engagement of the EU in Somalia as it was decisive for establishing the Transitional Federal Institutions (TFI), i.e., the Federal Transitional Charter, the TFG, and the Transitional Parliament in 2004. The EU also supported Djibouti and the Mbagathi peace processes (Raffaelli, 2007).

United Nations and Other International Organisations.

The UN has been actively involved in Somalia and played a part in the peace process since the collapse of the national formal government structures in 1991 prompting political chaos and instability across the Horn of Africa. The UN, under Resolution 733, imposed an arms embargo on Somalia in 1992 (Bradbury, 2009). It further intervened in the military under UNOSOM I and II, UNITAF (Ahmed, 1999; Bayne, 2001) and the 'Operation Restore Hope (Raffaelli, 2007). The UN has also supported the diverse peace processes, delivered humanitarian assistance and implemented recovery and development programmes directly through its country team made up of 24 UN agencies and via other non-governmental organizations. However, it is noted that in the early 1990s, the UN pulled out of Somalia which Somalis and some quarters of the international community looked at as abandonment. It only returned in 1992. In 2007, the UN authorised and mandated the African Union to deploy AMISOM peacekeeping forces in Somalia and provided financing for this mission with other bi-lateral donors such as the EU. It also provided the main

international framework for EU activities that dealt with the crisis in Somalia. The UN and its agencies including the United National Development Programme (UNDP), United Nations Children's Fund (UNICEF) and World Food Programme (WFP) have been at the forefront of providing humanitarian and development aid in Somalia.

The UN, with regional and international governments, has been working to rebuild the collapsed state of Somalia and has supported the different peace processes. It even spearheaded the Djibouti Peace Process (2008 – 2009) under the auspices of the United Nations Political Office for Somalia (UNPOS). The efforts of the UN and the regional governments and organisations helped to produce a government in Somalia which unfortunately was characterised by internal wrangles, mistrust between the Federal Government and the Federal member states and widespread corruption. Yet Al-Shabaab and other insurgent groups in Somalia opposed the legitimacy of the foreign-backed Federal Government of Somalia and they have an inherent desire to replace the government with one founded on the principles of Sharia law.

To further streamline its operations in Somalia, the UN developed a UN Strategic Framework (UNSF) 2017 – 2020 to guide the UN's work in the country in support of the Somali Government's development priorities to achieve Sustainable Development Goals. Progress has been made to achieve the strategic objectives as they were outlined in the framework including deepening federalism and state-building, supporting conflict resolution and reconciliation, and preparing for universal elections; supporting institutions to improve Peace, Security, Justice, the Rule of Law and safety of Somalis; strengthening accountability and supporting institutions that protect human rights; strengthening the resilience of Somali institutions, society and population; and supporting socio-economic opportunities for Somalis, leading to meaningful poverty reduction, access to basic social services and sustainable, inclusive and equitable development. Despite the progress made, the Al-Shabaab is still carrying out attacks and retains a significant capacity to destabilise the country.

The United States

The US intervention in Somalia was premised on the assumption that without a central government, Somalia would become a safe haven for terrorists where they could plot attacks against the US and its interests and further destabilise the Horn of Africa (Elliot & Holzer, 2009; Mekuriyaw; Menkhaus, 2002; Phillips, 2017). The US foreign policy objectives in Somalia are to promote political and economic stability, prevent the use of Somalia as a safe haven for international terrorism, and alleviate the humanitarian crisis caused by years of conflict, drought, flooding, poor governance and natural disasters (Bureau of African Affairs, 2018). Some authors have pointed out that the US, to achieve its objectives, funded and armed warlords in Somalia so that they could hunt down Islamic extremists (Boukhars, 2006; Hoehne, 2009; Menkhaus, 2007c; Morolong, 2007; Reno, 2017). The US later backed the Ethiopian invasion of Somalia in 2006 and provided intelligence, backed up with airstrikes and special operation forces (Eland, 2006; Hoehne, 2009). The US Combined Joint Task Force-Horn of Africa (CJTF HoA) under the United States Africa Command (AFRICOM), in cooperation with the EU, has trained and equipped the East African forces mainly through AMISOM. Its mission is to train the region's

security forces in counter-terrorism, serve as advisors for peacekeeping operations, and support humanitarian assistance. It also provides security assistance to several regional maritime security forces and conducts civil-military operations.

Finally, the CIA is supporting the Somali National Security Agency which is the intelligence service answerable to the TFG with funds and training (Browne, 2019). The US has been fighting Al-Shabaab militias in Somalia but the Obama Administration increased the airstrikes starting in 2016, which have been escalated by the Trump administration starting 2017 but unfortunately these airstrikes also come with indiscriminate killing of civilians (Felter, 2019). The US increasingly gets private security providers and sub-contracts them, offers them logistical support to limit risk exposure (Karlsruud & Novosseloff, 2020) and just like other international actors, remains very cautious of putting its personnel on Somali soil since the 'Black Hawk Down' incident (Holzer & Jürgenliemk, 2012). The US also corporates with the EUTM in Somalia by providing financial and logistical support, selecting trainees, airlifting recruits, and providing supplies and equipment (Oksamytna, 2011a; Phillips, 2017). It is important to note that the major intervention of the US in Somalia is focused on counter-terrorism and its global war on terror whose main objective has been alienating and delegitimising Al-Shabaab and excluding it from the ongoing peace initiatives (Dersso, 2009). According to Dowd (2016), US efforts have focused on hunting down and killing the bad guys. The US counter-terrorism measures have been heavy-handed and indiscriminate, often harassing, injuring, or killing people unlucky enough to live in the vicinity of suspected extremist hideouts or who share ethnic and religious identity with Al-Shabaab extremists. However, according to Dowd, (2016), the United States should pursue a strategy that draws on the synergistic contribution not only of the military but a cross-section of stakeholders including civil society and religious organisations that promote a long term mindset of prevention through human development and religious tolerance (Dowd, 2016).

As much as the US is principally in Somalia to fight off Islamic fundamentalism, it also has undeclared strategic and economic interests in the Somali peninsula.

Foreign Islamist movements

Somalia has had the influence of foreign Islamist movements for decades. Networks of Somali veterans of the Afghan-Soviet wars and early Islamist organisations such as the Al-Ittihad Al Islamiya and the Muslim Brotherhood were ideologically influenced and financially supported through the diaspora in the Gulf (Göldner-Ebenthal & Elsayed, 2019; Menkhaus, 2002). However, the early 1990s saw the penetration of the East Africa Al-Qaeda (EAAQ) cell in Somalia (Menkhaus, 2009) which was made possible due to the collapse of the central government.

It is argued that East Africa Al-Qaeda (EAAQ) cell operatives first entered Somalia from Sudan in the early 1990s when the UN sent UNSOM peacekeepers with the US under 'Operation Restoration Hope.' These operatives trained Somali militias who brought down the 'Black Hawk' and the battle that ensued (K. Menkhaus, 2007a; Page, 2010). While the International Crisis Group (2006) notes that al-Qaeda operatives continued hiding in Somalia and planned the US embassy bombings in Nairobi and Dar-es-Salaam from Somalia. When the Al-Shabaab joined

the insurgency in Somalia in 2006, al-Qaeda leaders praised them and gave them moral support (Menkhaus, 2009) and at the same time, the leaders of Al-Shabaab pledged loyalty to al-Qaeda (Doboš, 2016) which was followed by announcing of the official merger with the al-Qaeda in 2012 (Doboš, 2016; Göldner-Ebenthal & Elsayed, 2019) in an international jihad. Al-Shabaab has traditionally received ideological support, expertise and training as well as occasional financial support from the global movement (International Crisis Group, 2006).

Conclusions and Recommendations

It is concluded that although it has not been without positive contributions, foreign intervention has largely failed to deliver sustainable and broad-based peace in Somalia after suffering decades of tragedy from a collapsed state. The country retains significant problems that need to be resolved and multiple factions still fight for control of the country. Distrust exists between the Somali Federal Government and the Federal Member States, yet these leaders need to unite against Al-Shabaab. Regardless, the Al-Shabaab insurgency has reached a hurting stalemate. In particular, interest in the military strategy there is waning and major foreign actors like the United States and AMISOM are prioritising the identification of alternative strategies/tactics and withdrawal altogether while the EU is reducing its funding for AMISOM significantly. In as far as Al-Shabaab faces off with the foreign actors in the country, therefore, it is concluded that the insurgency has gone ripe for engagement. Accordingly, it is recommended that Al-Shabaab, foreign actors and the transitional government put priority on engagement with each other for peaceful resolution of the insurgency. It is also recommended that future researchers investigate the readiness of these parties to engage with each other and guide efforts to resolve the insurgency through peaceful means.

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Political Economy and the Dialectics of Xenophobia in Post- Apartheid South Africa

Olawale Akinrinde and Usman Tar

Abstract

This article addresses the question surrounding the political economy of the dialectics of xenophobia in South Africa. Hinging on qualitative methodology, data was drawn from both primary and secondary sources using key informant interviews, focus group discussion and archival materials respectively. Field evidence and data that was interrogated and analyzed thematically using content analysis, revealed that internal discontentment and contradictions in South Africa including social and economic inequalities, corruption, leadership deficit, poverty, unemployment, illiteracy and political rhetoric that opportunistically pit indigenous, economically less privileged South Africans against foreign Africans that are in South Africa to eke out a living and carry out their legitimate economic businesses, underpin the political economy of the xenophobic violence in South Africa. It is therefore recommended that the prevailing socio-economic conditions in post-apartheid South Africa, must be conscientiously addressed in order to address the problem of xenophobia.

Keywords:

xenophobia, political economy, dialectics, inequality, materialism, South Africa

Introduction

The recurring manifestation of xenophobia in post-apartheid South Africa has attracted various academic studies, especially with regards to its causes and motivations. In recent times, foreigners in South Africa, mostly black Africans, continued to be erroneously linked to drug trafficking, prostitution, and armed robbery by South African citizens. Furthermore, the perception that foreign African workers largely occupy jobs meant for South African locals has also been one of the singsongs of South African xenophobes in perpetrating xenophobic attacks against their African brothers and sisters. Expectedly, African foreign migrants from Zimbabwe, Mozambique, Kenya, Uganda, and Nigeria populate the mining and retail sectors in South Africa. The informal sector in South Africa, which includes dry-cleaning services, restaurants, car-wash services, taxi services,

day-care services, and other businesses, is widely considered to be the standard. It is a sector that is largely dominated by the black foreigners at the expense of most indigenous South Africans who live in the townships and suburbs. This development reflects an arrangement where the foreign market-dominant African few, whom have got the material resources, time, skills and know-how, dominate indigenous South African majority whom have been historically disadvantaged under apartheid, in the economic or market circles in South Africa, due to inferior levels of education. The disadvantaged and dominated majority cum South African citizens constantly see the market-dominant African foreigners who happen to be the minority as threats and obstacles to their supposedly rightful claims to what is perceptively considered theirs (Chua, 2004). And thus, these dominant minorities must be subjected to indigenous South African majority's own dictates within the market and economic structure. Given the economic opportunities that abound and the liberalist market structure in South Africa, it is easier for individuals who are not citizens but who possess the resources, skills and literacy to thrive and establish their business ideas. This has constantly put the dominant minority African foreigners in an endless battle of economic resources with the South African indigenous citizens. The long years of apartheid equally contributed to the current manifestation of xenophobia in South Africa through its discriminatory economic, social and educational policies that deprived and relegated the South African indigenes to the background. The draconian apartheid policies of the South African government prior to 1994, consequently brought about illiteracy amongst indigenous South Africans, and further entrenched the culture of violence amongst black South Africans. Thus, South African citizens view minority African foreigners as threats, and a stumbling block hindering them from taking what is naturally theirs by virtue of their citizenship. This, combined with the apartheid government's land confiscation and sale of land to white farmers, as well as Bantustan education and segregated housing policies, further impoverished black South Africans in post-apartheid social and economic contexts (Adesina, 2019; Akinrinde, 2020). The post-apartheid dispensation, which held the promise of significant social change in the conditions of the South African blacks, turned out to largely be a ruse. The perception of receding expectations occasioned by the preponderance of slum residences, ongoing land dispossession, high unemployment among the black population; and the increasing influx and economic dominance of foreign migrants who compete with South Africans for jobs, now act as motivating factors for the increase in xenophobic sentiments amongst the indigenous South African blacks.

Although Campbell (2009) was of the view that globalization has resulted in increased international mobility and migrations, Crush and Ramachandra (2009) have argued that public rhetoric geared towards stigmatizing and vilifying migrants, under the pretext that they were responsible for the prevailing socio-economic conditions in South Africa, has given more impetus to xenophobic sentiments. One of the effects of globalization is that it has facilitated international migration. Consequently, migrants were often pitted against indigenes mostly in their respective quest to meet their economic and material needs. For Brown Harris, the manifestation of xenophobia may not be fully appreciated without an adequate understanding of the prevailing socio-economic conditions in the country that readily spur South Africans into scapegoating black foreigners (Harris, 2002). This, for Harris (2002), is exacerbated by the ignition of xenophobic rhetoric by some South African officials. Corroborating Harris's position, Adesina (2019) reiterated not

just the culpability of the growing discontentment and harsh trappings of globalization across the globe, but also the prevalence of unemployment, social vices, crimes and other economic unpleasantries in South Africa that readily trigger South Africans' frustrations and xenophobic resentment towards black foreigners in South Africa.

On the other hand, the revelations from South Africa's Deputy Commissioner, Dr. Bobby Moroc of the South African High Commission in Nigeria, have been different. For the diplomat:

“There are some facts we must appreciate about South Africa. No doubts, Africa and most especially the frontline states supported South African people in their time of need. Nigeria, despite not being a frontline state based on geography, rendered brotherly support to the anti-apartheid struggle. This is to tell you that South Africa's history whenever it is being said will never be complete without Africa, and even Nigeria. However, we must recognize that South Africa came from a bitter past; a past where its shores were closed against the rest of the world; a past where the black South Africans had one common enemy: the whites; a past where seclusion, discrimination, exploitations, dehumanization, crimes and apartheid were the orders of the day. On the dawn of new hope, a new faith, and a new belief in 1994, the once secluded rainbow nation opened its borders to the rest of Africa and the world in general. The hope occasioned by the defeat of the apartheid system was celebrated by all. The influx of people from all walks of life into South Africa created two versions of immigrants in South Africa: the legal or documented migrants and the illegal or undocumented migrants. Crimes and other criminal activities thus found a fertile ground amongst the undocumented migrants. In connivance with some elements amongst the South African people, some of the undocumented migrants became drugs mercenaries and promoters of scams, frauds, prostitutions and human trafficking. Most South African youths had thus been rendered useless as a result of the prevalence of these crime-chains and drug cartels and merchandise in South Africa. Whilst being conscious of their bitter past and how much blow crimes of these nature can deal on a nation, some South African people resorted to taking laws into their hands in their bid of preventing the reoccurrence of the past” (KII/Diplomat/Abuja/2019).

It is therefore important to appreciate and reckon with the prevalence of crimes and undocumented migrants in the rise of xenophobic resentment amongst some South African people. While acts of xenophobia in any guise are legally at variance with the letters of South African law and international law, it is believed that a holistic examination of the interplays of the triggering factors of xenophobia in South Africa would be necessary in addressing it. Poverty and limited access to social and economic resources by South African masses are, for Bobby Moroc, of great concern. The majority of South Africans from the rural areas and townships are believed to have felt sabotaged by “outsiders” that are now competing with them for the limited resources in the land, without minding the fact that they are the rightful heirs to the thrones. Since South Africa is a rainbow nation that provides great opportunities to both indigenes and non-indigenes and since the constitution states that South Africa belongs to those who live there, it is incumbent on the South African government to address the growing social and economic disparities. Though attempts to counter poverty have intensified, the increasing level of poverty should be of great concern to the South African government.

Contextually, there abound several contexts to how the politics of xenophobia is manifesting in South Africa. Basically, xenophobia could manifest in the form of a physical attack and attitudinal posture (Adesina, 2019). However, evidence from the field reveals several contexts in which xenophobia had been manifesting in South Africa since the emergence of democracy. It could manifest in the form of a feeling that can either be overt or covert. In another instance, it may manifest in attitude, character, behaviour, thoughts, speeches, actions or attacks which is the most prevalent and common. For instance, it was reported by a United Kingdom based newspaper that the Zulu King, Zwelithini may have equally been culpable in xenophobic outbursts in South Africa when he, on March 20th 2015, remarked when addressing a cheering South African crowd that: “Let us pop our head lice. We must remove ticks and place [them] outside in the sun. We ask foreign nationals to pack their belongings and be sent back (News-24, 2019).”

Whilst one may be tempted to restrict the manifestation of xenophobia to the usual physical attacks, evidence attests to the attitudinal and non-physical dimensions of xenophobia. As captured on video in 2019, the South African Deputy Police Chief was recorded commenting on the overcrowdedness of black foreigners in South Africa, it is almost incontestable to reckon with the existence of the non-physical dimension of xenophobia in South Africa. Similarly, most South African officials have been criticized for equally being culpable in the breeding of xenophobic attitudes and sentiments. This, as evidenced in a campaign video by President Cyril Ramaphosa, they do by conscious and deliberate inciting and whipping of their peoples’ sentiments against the perceived misdeeds of black foreigners in South Africa (News-24, 2019). In any event, inciting and presumed hate rhetoric by some elements among South Africa’s political class usually geared towards scoring political advantages or relevance from the electorate may not directly be responsible for the xenophobic attacks but most certainly, they contributed to existing xenophobic instincts and frustrations of the South African people.

The Political Economy of Xenophobia: A Theoretical Statement

Karl Marx popularized the political economy theory in an effort to understand why there were always the “Haves” and “Haves Nots” in any given society. The primacy of economic conditions as the driver of all modes of politics, according to Marx, is materially dialectical (Marx, 1992). Possession and accumulation of capital, which typically leads to extreme domination of the materially affluent minority over the poor majority, remains the primary motivator for all social disputes. The implication of this economic situation is that the conflict between the materially affluent and dominant minority (the “Haves”) and the materially deprived majority would continue. The material and economic inequality between these two groups was also the cause of constant conflict. The fierce struggle between the materially privileged and dominant few and the materially deprived majority was informed by the scarcity of material and economic resources within society (Akinrinde, 2020).

The relevance of the political economy theory in illuminating the politics and incessant manifestation of xenophobia in South Africa is self-evident. The theory captures the underlying politics in the continuous and constant material struggle between the foreign market-dominant minority and

the dominated indigenous market majority, who happen to be the South African citizens (Chua, 2004). As a free market democracy, South Africa encourages foreign direct investment and other forms of business ideas from foreign investors. Within this context, foreign individuals that possess the material and economic resources to invest and set up businesses in the country are permitted within the free market democratic framework. This does not undermine the rights and liberties of indigenous South African citizens to also invest, set up businesses, or take up economic activities in their homeland. As a free market economy and democracy, the South African government only formulates policies and has not been able to ensure egalitarian and equal opportunities for all in the market and economic realms. The material and economic relations between market-dominant minorities (the affluent black foreigners with vast capital) and indigenous South African majorities (who have been socially, educationally, and economically oppressed) has often resulted in market-induced conflicts, which typically turn out to be xenophobic, as in previous experiences elsewhere. These foreign ethnic minorities who, for a variety of reasons, tend to politically dominate the “indigenous” majorities around them have tended to be more educated, materially and economically capable to compete with the indigenous South Africans, the majority of whom are mostly uneducated, socially and materially deprived.

Basically, market-dominant minorities can be found all over the world. Not only in the Philippines, but across Southeast Asia, the Chinese are a market-dominant minority (Chua, 2004). In 1998, Chinese Indonesians dominated approximately 70% of Indonesia’s private sector, including all of the country’s largest conglomerates, while accounting for just 3% of the population (Chua, 2004). Similarly, in Burma, the economies of Mandalay and Rangoon have been totally taken over by Chinese. In South Africa, foreign African nationals are already becoming a market dominant minority. In a more complex context, the same is true in Brazil, Ecuador, Guatemala, and Latin America as a whole. In West Africa, the Lebanese and Chinese have become market dominant minority. The Croats also were a market dominant minority in the former Yugoslavia, using the same rationale. Market dominant minorities are regarded as the free market democracy’s Achilles’ heel in the view of Chua (Chua, 2004). Markets accumulate capital, often spectacular wealth, in the hands of a small but powerful minority, while democracy strengthens the political power of the poor majority (Chua, 2004). In these conditions, the promotion of free market liberal democracy becomes an engine of potentially catastrophic xenophobia and its latent violent politics, which pits a resentful and an economically frustrated “indigenous” South African majority against the affluent foreign black minority. The attendant market-induced confrontation and social conflicts played out in different countries across the globe including Indonesia, Sierra Leone, Venezuela, and Zimbabwe. Similarly, Americans were perceived as the world’s market-dominant minority, wielding outrageously disproportionate economic power relative to their size and numbers. As a result, the United States had become the target of widespread anger and hostility, like that which was aimed at so many other market-dominant minorities around the world (Tar, 2009). Throughout the world, global markets were bitterly perceived as reinforcing the minority’s wealth and dominance. In several societies around the world, like South Africa, that had a market-dominant minority, markets and democracy were not mutually reinforcing. This was because the pursuit of free market democracy produced highly unstable and combustible economic conditions that usually pitted the materially privileged against the materially disadvantaged. Markets concentrated enormous wealth in the hands of an “outsider” minority that had the material and economic

resources to compete, thereby, fomented ethnic envy and hatred among often chronically poor indigenous majorities who did not have the material, social, educational and economic capital to compete in the market. Still, market dominant minorities, along with their foreign-investor partners, invariably controlled the crown jewels of the economy, often symbolic of the nation's patrimony and identity. For instance, oil in Russia and Venezuela, diamonds in South Africa, silver and tin in Bolivia, and jade, teak, and rubies in Burma were chiefly controlled by the dominant minorities (Chua, 2004). The competition for votes among national political actors fostered the emergence of demagogues who scapegoated the dissenting majority against the foreigners, thereby, fomenting xenophobic movements whilst demanding that the country's wealth and identity be reclaimed by the "true owners of the nation." When free market democracy was pursued in the presence of a market-dominant minority; the almost invariable result was xenophobia. This typically took one of three forms. The first was a xenophobic backlash against the markets, that targeted the foreign market-dominant minority and their wealth. The second was a backlash against free market democracy by the indigenous majority favoring more nationalistic policies and controlled market condition that would materially empower the indigenous majority over the dominant foreign minorities. The third, and the deadliest form, was xenophobic violence, sometimes genocide that was usually directed against the foreign market-dominant minority itself. In the contest between an economically powerful ethnic minority and a numerically powerful impoverished majority for economic dominance and appropriation, the majority did not always prevail. The most ferocious kind of this xenophobia was mostly the majority-supported violence aimed at eliminating a market-dominant minority. This has played out since the veil of apartheid system was lifted in South Africa in 1994. The South African Human Rights Commission reported that indigenous South Africans alleged that foreigners were responsible for the increase in crime, and the 'stealing' of South Africans' jobs, houses and women (SAHRC, 2008). "Jobs" in this context shows the primacy of the constant struggle and quest of the indigenous South Africans to get their jobs and other economic and material opportunities back from the foreign market-dominant minority. Given the ethnic dynamics of SA, and in particular the phenomenon of market-dominant minorities, merely "empowering the poor indigenous South African majorities economically" may not be enough to cure the problem of xenophobia as projected.

Poverty, Unemployment and the Politics of Xenophobia in South Africa

Some of the promises that post-apartheid South Africa held from 1994 were, among other things, increased standard of living, high employment rate and improved literacy. These were no doubts, the motivating factors for the general acceptance and support for the anti-apartheid movements during the many years of inglorious apartheid reigns in South Africa. For Omodunbi, a scholar with many years of experience in the study of xenophobia:

The rising level of poverty, unemployment and illiteracy are undergrowth of post-apartheid system. They are prevalent amongst the black South Africans and not the South African whites. Majority of black South African on the streets is mostly unemployed and uneducated (KII/Academia/ 2019).

However, the post-apartheid realities have been far away from the manifestation of the peoples' expectations. This is aptly represented in the Living Conditions Survey (LCS) of 2015 that was

conducted by the South African Department of Statistics which revealed that approximately half (that is 49.2%) of South African adults were living below the upper-bound poverty line (UPBL) (South Africa Department of Statistics, 2015). Of this population of South African adults living below the poverty line, Gauteng and the Western Cape had the lowest proportions of adults living in poverty (South Africa Department of Statistics, 2015). The provinces with the highest numbers of adults living in poverty, according to the Living Conditions Survey by SADS, 2015, were Limpopo (67.5%), Eastern Cape (67.3%), KwaZulu-Natal (60.7%) and North-West with 59.6%. For these four provinces, significantly more than half of their populations were living in poverty. Gauteng and Western Cape therefore ranked lowest in poverty rate with 29.3% and 33.2% respectively.

Coupled with the above revelation, the unemployment rate in South Africa expectedly increased to 29% in the second quarter of 2019 from 27.6% in the previous period. As reported by Trading-Economics in South Africa, it was the highest jobless rate since 2003, as the number of unemployed rose by 455,000 to 6.65 Million. With this new unemployment rate of 2019, South Africa now falls in the category of countries with the highest unemployment rates in Africa with Congo (46.10%), Namibia (33.40%), Angola (29.00%), South Africa (29.00%), Mozambique (25.04%), Lesotho (23.60%), and Nigeria (23.10%) in first, second, third, fourth, fifth, sixth, and seventh positions respectively (Trading-Economics, 2019). Intriguingly, the hotbeds and launching sites of the xenophobic attacks had the highest prevalence of poverty and unemployment in South Africa. Towns and suburbs in provinces like Gauteng, KwaZulu-Natal, North West, West Cape and Eastern Cape witnessed more xenophobic attacks than areas that fared better in Living Conditions Assessments and Employment rates.

Source: South Africa Department of Statistics (Living Conditions Survey)

Evidence demonstrates that most xenophobic attacks had taken place more in areas and townships with alarming rates of poverty and unemployment (Crush, 2008b). This argument is supported by the table below:

Table1: A Brief Litany of Xenophobic Attacks in Post-Apartheid South Africa

S/N	Town	Nature of Xenophobic Attack	Number of Casualties	Year
1.	Alexandra Township	Operation Buyelekhaya (Go back home) (Landau et al., 2005: 30)	None	1995
2.	Pretoria (Occurred in the Train)	Physical Assault of three foreign nationals in a train by South Africans after returning from a rally on the rising level of unemployment (Crush, 2001).	None but varying degrees of injuries sustained.	1998
3.		A Rwanda refugee was beaten up by a South African taxi driver because he foreign (Crush, 2001).	None but heavy injury sustained by victim	1998
4.	A Nation-wide attack	A nation-wide xenophobic attack on black foreign nationals left 30 refugees killed (SABC, 2011).	30	1999
5.	Zandspruit Natal	In August, South Africans burnt down shacks of Zimbabwean foreigners living in the settlement (Parseley, 2008).	None but loss of properties and homes, making the Zimbabwean national homeless and dejected.	2000
6.	Pretoria (Took place in the train).	A Sudanese refugee named James Diop was seriously injured after being thrown from a train in Pretoria by a group of armed South Africans (Lefto-Everett, 2008).	None but victim was badly injured.	2001
7.	Cape Town City	22 black foreign nationals were brutally stabbed in a xenophobic manner by groups of South African xenophobes (Harris, 2002).	None but fatal injuries were sustained by victims.	2001
8.	Botha Ville, Free-State	Zimbabwean and Somali refugees were fatally assaulted and beaten in Botha Ville, Free-State in 2005 (CORMASA, 2007).	None	2005
9.	A Township outside Knysna	A number of Somali shop-owners and traders were chased out of a township near Knysna. Following this xenophobic clampdown, more than 30 shops were damaged (CORMSA, 2007).	No losses of lives but properties were rampantly destroyed.	2007
10.	Cape Town	In August 2007, 13 Somali shopkeepers were found gruesomely murdered in their shops in Cape Town. Nothing was however stolen from these shops (CORMSA, 2007).	No casualty was recorded.	2007
11.	Johannesbourg	Series of coordinated xenophobic attacks that led to the death of 62 persons with more than 6,000 rendered homeless (BBC, 2019).	62 persons were reported dead with more than 6,000 persons rendered homeless.	2008

12.	South Africa	125 Nigerians reported to have been xenophobically deported from South Africa by South African Authorities on an alleged accusation of presentation of fake yellow fever certificate.	No casualty	2012
13.	Durban	Violent xenophobic attacks against african nationals by black South Africans following the Zulu King Goodwill Zwelithini's remarks that foreign african nationals were responsible for crimes in South Africa (BBC, 2019)	5 foreign african nationals were reportedly killed.	April, 2015
14	Soweto Town	3 persons were reportedly killed following a violent xenophobic onslaught that ensued initiated by the black South African community against foreign african nationals in the aftermath of the reported killing of a South African Man who had robbed a shop belonging to a Somalian (BBC, 2019).	3 persons reportedly killed	August, 2018
15.	Durban	Xenophobic protests targeting African immigrants erupted in Durban on March 25, 2019. Around a hundred people targeted foreign-owned businesses, forcing around 50 people to take refuge in a nearby police station and mosque. The riot claimed the lives of three people. President Cyril Ramaphosa's speech at the ANC's election manifesto for the 2019 South African general election, in which Ramaphosa pledged to crack down on undocumented immigrants involved in illegal activities, has been blamed for inflaming xenophobia. Both the South African government and political parties condemned the attacks on foreigners (BBC, 2019).	3 were killed.	2019

16. Johannesburg	Following the death of a taxi driver on September 1, 2019, riots and looting targeting shops run by foreign nationals erupted in Jeppestown and Johannesburg. By the third day of September, 189 people had been arrested for looting. During the incident, about 50 businesses, mostly owned by Nigerians from other parts of the continent, were reportedly destroyed or damaged. The disturbances took place in the midst of a nationwide truck driver strike, which was protesting the hiring of non-South African truckers. Amid attacks on foreigners, 640 Nigerians signed up for free flights to Nigeria in September 2019. Refugees staged a sit-in demonstration in Greenmarket Square in Cape Town in response to the riots (BBC, 2019).	12 were killed.	2019
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Source: Compiled by Researcher, 2019

In this table, it is clear that aside from Pretoria and Cape Town, 90% of the areas where xenophobic attacks had taken place currently have the highest rates of poverty and unemployment in South Africa. The unavailability of jobs coupled with the pervasive level of poverty in most of the South African townships, there is however an intense contestation between indigenous South Africans and black foreign nationals (who populate the informal and township areas) over the scarcely available resources. The materialist theoretical foundation of this study, through the political-economy approach, explains the primacy of material and economic resources and substructure in the determination of the nature of the type of politics resulting therefrom. The ensuing conflagration between indigenous South Africans who had been deprived of material, social, economic, and political rights by the apartheid regime for many years and black foreign nationals over employment, trading enterprises, and scarce resources captures the inherent politics of xenophobia in South Africa. This materialist explanation has also been corroborated by Brown Harris in Scapegoating thesis. The scapegoat thesis empirically locates xenophobia within the context of the ensuing South Africa's transition from an authoritarian rule to a democracy (Harris, 2002: 170). The euphoria of freedom and the expectation of improved standard of living as well as the delivery of dividends of self-government/democracy became short-lived. The heightened expectations of South Africans in the post-apartheid state were however cut short by the failures of the ANC-led post-apartheid South African government to deliver the expectations of its people. Limited resources, the growing gap between the poor and the rich and unequal distribution of wealth and increasing poverty have all combined to contribute to the peoples' disillusionment and frustration with the post-apartheid South African state.

Xenophobia as a Symptom of the Dialectical Contradictions in South Africa

The current xenophobic politics, as evident in the preceding analysis in this study, is not actually the bane of peaceful coexistence between indigenous South Africans and African nationals in

South Africa, but rather how the politics is ignored and underutilized for the growth of the South African economy. What is disturbingly striking here is the fact that this politics (the inherent power struggle for the scarcely available economic and material resources) has however degenerated to a violent xenophobic conflict between the indigenous South Africans and their black African counterparts. This development has been compounded by how this politics and its attendant violent manifestation has been attended to or addressed by the South African government, which has largely been reactionary rather proactive.

Essentially, the South African government, through its police, had always intervened to stop the xenophobic rampage, but such attempts had always come far too late to save the situation, confirming the reactionary approach of the South African government to the xenophobic threat. Similarly, the South African Minister of Home Affairs has met with all resident Ambassadors in South Africa on a regular basis to re-assure the safety and security of all persons in South Africa, while his Nigerian counterpart, the South African High Commissioner to Nigeria, has spoken out strongly against incidents he described as embarrassing, while acknowledging the sacrifices made by Nigeria. He promised that his government would do everything in its power to prevent such humiliating events from happening again (BBC, 2019).

Whilst there are immediate triggers and long-term causes of the violent xenophobia in South Africa, much of the efforts that had been committed into addressing the xenophobic pathology by the South African government had chiefly focused on addressing the immediate triggers. Immediate triggers of xenophobia such as economic rivalry between the indigenous South Africans and foreign African nationals, high crime rate perpetrated by foreign African nationals living in South Africa, increasing numbers of undocumented or illegal African migrants in South Africa have been the focus of the South African government's point of reference in its bid to address the problem of xenophobia whilst leaving unattended the long-term causes. Corruption, social and economic inequality, poor leadership and governance, increasing unemployment and prevailing economic frustrations in the nation, lingering apartheid legacies, and a slew of other issues were virtually ignored by the South African government. In fact, it is the conviction of Professor of Defense and International Relations, David Alabi in his thought-provoking interview session that said:

Corruption is like the substructure upon which all other social issues are built upon in Africa. The level of high-profile corruption amongst the South African political elites or class naturally informs the prevailing level of social gaps and inequalities between the rich and poor South Africans, as well as the dwindling level of the economic situations and statuses of most South Africans (Alabi/Academia/KII, 2019).

Former South African president, Jacob Zuma, for instance, had lost an appeal to have his trial over a two-billion-dollar arms deal corruption case halted in a South African appeal court. This was no doubt, a fraction of some of the high-profile corruption cases that have deprived the South African people their desired good life and living standards (Akinrinde and Omitola, 2018). Though, the situation was not by any means different in other African countries, one would have however, thought that South Africa would have set the pace as the harbinger of anti-corruption practices in Africa. For Professor Femi Mimiko:

The approach the South African government had relied upon in addressing the politics and violent manifestation of xenophobia in South Africa has largely been counter-productive. This is because what the South African government has been addressing is nothing other than the peripheries of the triggering causes of problem. The deep-rooted causes such as the growing inequality between the black and white South Africans, the failure of the post-colonial South African leadership to meet the expectations of its people, high profile corruption amongst the South African political elites, and the failures of the ruling ANC in governance still subsist (Mimiko, 2019).

Furthermore:

You cannot build something on emptiness. The nature and kind of post-apartheid state the South African government is trying to construct is such that naturally fuel xenophobic resentments. The post-apartheid South African state has now been built around the rich and privileged minority whilst majority continues to wallow in acute poverty, unemployment and scarcely available social provisions (Mimiko, 2019).

Xenophobia is thus the revolution of the dashed rising expectations of the poor majority South Africans. Whilst Mimiko is equally of the view that immediate measures should be put in place to arrest and address the politics and violent physical manifestation of xenophobia in South Africa by the South African government, he extolled primarily the need for the South African government to prioritize addressing the long-term causes of xenophobia in its land. For him, the constructed post-apartheid South African state that glorifies and concentrates the scarce economic and material resources of the state in the hands of the white minority and their black South African accomplices should be reconstructed with a view to dismantling the inequalities in social and economic relations amongst the people (Mimiko, 2019). In line with professor Mimiko's thought, Professor Adigun Agbaje reiterated the need for the ANC-controlled South African government to strive in meeting the social and economic aspirations of its people (KII/ Academia/2019). This would however address the revolution of the rising expectations of the South African people that had over time been dashed. In other words, this attempt would place the South African government on the footing of pro-activeness, rather than being reactionary in method and approach of addressing the problem of xenophobia.

Conclusion

This study concludes that the politics of xenophobia in South Africa has been indicative of the internal contradictions that plague most free-market democracies, specifically developing African countries that have internalized the tenets of the liberal market system. The prevailing socio-economic conditions in post-apartheid South Africa have therefore constantly pitted most indigenous South Africans against foreign African nationals in a fierce power struggle over the scarcely available social and economic resources in South Africa. Sets of evidence from the field thus point to the culpability of factors such as high-profile corruption amongst the ruling ANC-controlled South African government; ever-rising levels of unemployment, poverty, economic inequalities and gaps between white South Africans and black South Africans; leadership deficit, and high crime rate as pre-cursors to the continued manifestation of xenophobic violence and

politics in South Africa. The responses of the South African government in addressing the politics and violent manifestations of xenophobia have largely been reactionary and yielded little or no results. The consistent manifestations and occurrences of the xenophobic attacks in post-apartheid South Africa between 1994 and 2019 have thus provided a testament to the subsistence of the menace. This is deeply tied to the fact most of the strategies and actions taken by the South African government as shown in this study had largely been targeted at the immediate causes or triggers of the xenophobic menace, whilst its long-term causes overlooked by the government. The capacity of the state to legally prosecute her erring citizens found culpable of the xenophobic attacks, as discussed in this study, is in question for reasons not far-fetched. It is therefore the argument of this study that internal discontent and contradictions in South Africa must be frontally addressed to mitigate the problem of xenophobia.

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Media and Peacebuilding in Zamfara State of North-West Nigeria: A Study of an Armed Bandit Conflict

Idris Mohammed

Abstract

This paper examined the ways radio contributed to peacebuilding and promotion using the case of armed banditry and cattle rustling in Zamfara State. The study was guided by four specific objectives: to find out whether radio can be used as a mechanism of peacebuilding; to find out if the intervention by radio programs have influenced the escalation or de-escalation of armed bandits' conflict in Zamfara; to examine the extent to which the people of Zamfara use radio as a mechanism of peacebuilding; and finally to survey the perceptions of people of Zamfara towards the use of radio in peacebuilding. The study used survey research design and data were gathered through a questionnaire administered to 338 respondents. The data were thematically analyzed by classifying major issues and recurrent themes. Then they were presented in narrative form. The findings of the study showed that radio served as an appropriate, cheap and easily accessible medium of passing peace messages; contributed considerably to the de-escalation of conflict; and reduced the frequency of conflict in the state. An overwhelming majority of the respondents (98%) agreed that radio has been the best medium for promoting peacebuilding. In conclusion, radio proves to be effective in dousing tensions and disseminating information on what needs to be done. Finally, the paper recommended that the government should formulate policies that make it possible to involve radio in conflict resolution efforts since it is cheap and easily accessible to many people.

Keywords

radio, peacebuilding, media, conflict resolution, Zamfara

Introduction

Media, whether government or privately owned, plays an extremely important role in society. As no society is conflict free, peacebuilding is necessary. Information and insight can impact on public discourse. This way, perceptions can be changed because of access to media. Different types of media are utilized globally to distribute knowledge and ideally, free mass media is a tool of and signpost for democracy. The attention of the media on issues of banditry conflict gets heightened because of the level of violence involved, the number of people killed, and the styles used to launch attacks. Additional factors include displacement of people, efforts of the security forces, uncertainty and threat to law and order, lack of security and safety, and disturbance to peace. Conflict situations provide the media with news materials and issues and events to be analyzed or commented on. But banditry or insurgency, as much as it offers news materials to the media, also puts journalists and media houses in danger. In discussing the challenges of media and peacebuilding, it is important to examine discourse on media and peacebuilding or banditry as a challenge which is covered in some relevant literature. At this juncture, it is important to clarify some key concepts that would be useful in the discussion in this paper.

The concept of peacebuilding has been an issue of concern and interest of many scholars and practitioners (Ismail, 2006; Radda, 2006; and peace projects (Radio for Peacebuilding in Africa)) especially in Africa where conflict has become part of the culture of the people.

Peacebuilding is associated with efforts aimed at the prevention of violent conflicts, reconciliation, transitional justice, education for peace, and communication for peace. It requires people to promote conditions of non-violence, equity, justice and human rights of all people to build democratic institutions and trust and enhance communication among people in a way that contentious issues can be resolved without violence.

However, it is unfortunate that media is among the causative agents of conflict in Africa as evidenced in the case of Congo and Burundi. Media institutions played provocative roles in the society before, during and after the occurrence of the conflicts. In a heterogeneous society like Nigeria where insecurity is always a subject of discussion as a result of banditry, terrorism, ethnic, religious and political unrest, media can play a role in minimizing such tensions. Pate (2018) advocates that media is supposed to be the agents of maintaining peace or mechanisms of managing and resolving conflicts. However, the opposite has frequently been the case. Due to this, some people accuse media of escalating conflicts despite its potential to de-escalate tensions and contribute to conflict resolution and peacebuilding.

Zamfara State, in northwestern Nigeria, has had a significant conflict over the issue of cattle rustling which eventually grew to armed conflict. The crisis is far removed from religious, political or ethnic clashes, which is normally the case in many parts of the country. There is an argument on whether the media is escalating the crisis or promoting peacebuilding in the state. Many scholars (Malam cited in Maikaba, 2006; Ya'u cited in Batta, 2009) lament that in some places in Africa, media, instead of helping to curb violence, aids in exacerbating the situations. As such, the need for a study to examine the role of media in peacebuilding is imperative. This

need is supported by Malam (2006) who claims that there are relatively inadequate studies on the role of media in peacebuilding. Mass media, especially radio, can play a vital role in easing tensions during conflict and serving as mechanisms to build peace in society. Several scholars (Bratic, Manoff, and Rueben as cited in Malakwen, 2014) contend that if media can support in fueling crisis in societies, it can also assist in building peace. This confirms the assertion that media is a two-edged sword. The purpose of this paper is thus to examine the role of radio in building peace among the people of Zamfara State.

Social Context

Zamfara, with its motto as the “Farmers’ Pride”, was once one of the most peaceful states in Nigeria. Neither the introduction of Sharia law in 1999 nor the post-election violence in 2007 and 2011 that affected almost all the northern states. However, the state has now become a no-go area and a haven for bandits who frequently killed and kidnapped hundreds of people for ransom. Illegal mining has been ongoing for a very long time and several experts have warned the government against the practice although nothing has been done until lately. In 2010, lead poison killed several children in their homes through contaminated food and dust in the air that resulted from illicit mining. This took the lives of over 300 people including children and women in the state.

Killing in the state started in 2014 as part of cattle rustling activity. However, it got much worse in early 2016 when bandits started killing the miners. Foreigners also operated in the state, some licensed, while others were not and this has endangered the lives of the villagers in areas where the mining activities took place.

The media, in term of a broad-based information sharing capacity, has remained one of the fundamental means of salvaging violent crisis situations. While there is no argument about the importance of the media in peacebuilding, its role has often remained contentious among scholars and practitioners and this revolved around whether the media escalates or de-escalates conflicts and crises (Salawu, 2009; Omenugha and Ukwueze, 2011; Vladislavljevic, 2014; Pointer, Bosch, Chuma & Wasserman, 2016). Adam and Holguin (2003) argued that for conflict resolvers, the media is usually seen as a threat — keen to pounce on any indiscreet or conciliatory remarks by the negotiators and publish them without any thought of the consequences.

Media as a social institution is involved in conflicts in the society either as harbinger, channel of information and analysis of the conflicts or as part of the escalation or resolution of the conflicts (Salawu, 2009, p.75). Ownership pattern, pressures, political influence and other factors continue to challenge the media’s consistent and committed role in peacebuilding in a nation, making it increasingly impossible for it to live up to the expected role in peacebuilding.

According to Best (2013), peacebuilding is a collective process to end or mitigate conflict, rebuild and reconcile post-conflict, and foster conditions that avoid conflict in the first place. Studies

in peace-making or peacebuilding propose that in resolving civil conflict more is needed than merely negative peace, that is, absence of violence (Lodge, 2018).

Unfortunately, people, especially the youth are always at the forefront when conflict arises. For this, Batta (2009) and Ismail (2006) corroborated that majority of the conflicts in Nigeria were aggravated by idle youth who served as rebels whether sponsored for political, economic or sectarian interests. However, some scholars (Maikaba, 2006) believed that media especially radio was expected to remind people of the importance of peace in society. Similarly, Nwodu and Agbanu (2015) posited that radio could be the most effective medium for disseminating to the people information on various social change programmes (peacebuilding included) from government and other institutions (media for example). Thus, this paper intends to investigate the role of radio in building peace among the people of Zamfara State.

Literature Review

Peacebuilding is one of the processes of managing conflict and radio has a vital role to play in achieving that. According to Malakwen (2014), by using its role of gatekeeping, radio can play a significant role in fostering peace, building confidence, advocating for the protection of human lives, and promoting and mobilizing public support. Unfortunately, media, as captured by Ya'u (cited in Batta, 2009) is not doing that in many cases. Rather than deescalating conflicts, media helped in escalating them. This buttresses the assertion that media can mar make.

Adejo (2014) studied radio as a tool for promoting peacebuilding and solving conflict in Koko and Opuama in the Niger Delta region. The findings indicated that majority of the respondents (87%) relied on radio stations for information on conflict while others (8% and 5%) counted on the internet and newspaper as their major source of news on conflict and peacebuilding in the region.

Best (2011) examined the role of radio and mobile phones in post-conflict resolution in Liberia. The key findings revealed that radio was central to the lives of the interviewees being by far the most used source of information. Victims of violence and conflict depended on radio. Nearly all the interviewees (99%) mentioned that they listened to the radio during the 2008 conflict and relied on it for key information.

Bosch (2011) investigated the role of Talk Radio in promoting peacebuilding and sustaining democracy and citizenship in Zimbabwe. Findings showed that radio helps in sustaining democracy and promoting peacebuilding. Seventy-two percent of the respondents agreed that radio was the best medium for promoting peace while 17% believed that television was a suitable medium because of its audio-visual capacity. The remaining 11% argued that newspapers were the best medium in terms of promoting peacebuilding in Zimbabwe.

A study by Malakwen (2014) revealed that 58.5% of the respondents believed radio had an impact on conflict prevention and peacebuilding. This relates to Batta's (2009) finding that media occupies a central position in society as a major agent of socialization contributing to

peacebuilding by educating members of the public about its importance. However, this could not be achieved without objective reporting and coverage as outlined by Maikaba (2006). Despite the role that radio can play in creating awareness and educating people about the importance of peace, especially during conflict, Malakwen (2014) lamented that peacebuilding had been left to security forces, elders, and village heads.

Kombol (2009) examined the impact of mobile phones in multi-ethnic communities in Benue State. Findings indicated that all respondents used mobile phones and they believed that mobile phones could ensure and sustain peacebuilding as they helped them to express themselves. This finding was similar to that of Best (2011) which showed that people in Liberia clung to their mobile phones as a tool for security and safety. They used them to combat crime, sexual violence, and to help in medical emergencies.

Theoretical Framework

As this paper investigated audiences' uses, beliefs and perceptions of radio as a mechanism of peacebuilding, the uses and gratifications theory (U&G) guided the discussion of responses secured from participants in the study. Anaeto, Onabajo and Osifeso (2008) and Asemah (2011) corroborated that uses and gratification theory was propounded by Katz, Blumler and Gurevitch in 1974. The theory emerged to address the shortcomings of media effect theories and the major argument of uses and gratifications is what people do with the media rather than what media does to them. It perceives media audience as active rather than passive as the media has a very limited effect on them. Furthermore, Wimmer and Dominic (as cited in Asemah, 2011, p.170) contended that:

Uses and Gratifications Theory centers on the audience views of media. It examines how people use the media and the gratification they seek to and derive from their media behaviours. Mass media researchers that employ U&G theory assume that media audiences are aware of and can articulate their reasons for consuming various media contents. It propounds the fact that people choose what they want to watch, read or listen.

McQuail (2010) posits that people use media for various needs (surveillance, cognitive) and reasons (information). People can use radio, for example, to acquire knowledge and find information about relevant events and conditions happening in or outside their immediate environment which will in turn allow them to gain some sense of peace and security especially during or after the occurrence of an unfortunate situation. As such, the theory posits that people use media for different reasons. Therefore, this study intends to find out if respondents in this study used radio for peacebuilding.

Materials and methods

This section adopts a quantitative survey method (see Creswell & Poth, 2017). Participants were selected using a purposive sampling technique and 400 copies of a questionnaire were equally distributed among the eight most affected local governments (50 for each) in Zamfara State. The local governments included Zurmi, Anka, Birnin Magaji, Maradun, Tsafe, Shinkafi, Maru and Gusau

This study used a 5-point Likert scale that included Strongly Disagree (1), Disagree (2), Neutral (3), Agree (4), and Strongly Agree (5). Furthermore, Yes/No options and scales that included Very Great Extent, Great Extent, Little Extent and No Extent were used to gather respondents' opinions on the use of radio as a mechanism of peacebuilding. According to Wimmer and Dominick (2014), Likert scale or summated rating is the most popularly used questioning technique in mass media research. Furthermore, Bhattacharjee (2012) added that "Likert scale is a very popular rating scale for measuring ordinal data in social science research" in which this study was rooted. All the questions were structured (close-ended). Respondents' views were analyzed using Statistical Package for Social Sciences (SPSS) version 22 tabulated in the form of frequency and percentage.

Results and Discussions

Out of the 400 questionnaires distributed, 338 were returned successfully. Before analysis of the data, a reliability test was conducted to test the validity of the questionnaire. The result showed the following.

Reliability Statistics	
Cronbach's Alpha	No. of Items
.530	24

As far as gender is concerned, 73.1% (n=247) of the respondents were males while 26.9% (n=91) were females. Age distribution showed that 51.5% (n=174) of the respondents were between 18 and 26, 33.7% (n=114) were between 27 and 34, 12.1% (n=41) were between 35 and 42 and 2.7% (n=9) were between 43 and 50. With regard to education, 52.1% (n=176) attended higher institutions of learning, 42.6% (n=144) attended secondary education and the remaining 5.3% (n=18) attended primary education. Employment-wise, 79.6% (n=269) of the respondents were self-employed, 14.8% (n=50) were employed and 5.6% (n=19) were unemployed.

Radio Usage

Table 1: Whether or not respondents listened to the radio

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	338	100	100	100

As shown in Table 1 above, respondents were asked if they listened to the radio and the data showed that all of them (100%) did.

Table 2: Frequency of respondents' listening to the radio

		Frequency	Percent	Valid Percent	Cumulative Percent
	Most often	60	17.8	17.8	17.8
	Very often	226	66.9	66.9	84.6
Valid	Often	47	13.9	13.9	98.5
	Rarely	5	1.5	1.5	100
	Total	338	100	100	

Respondents were asked how often they listened to the radio. Table 2 above indicates that 17.8% (n=60) and 66.9% (n=226) of them respectively used radio most often and very often while 13.9% (n=47) and 1.5% (n=5) respectively used it often and rarely. This shows that majority of the respondents (84.7%) frequently used radio.

Table 3: Means that respondents used to listen to the radio

		Frequency	Percent	Valid Percent	Cumulative Percent
	Using radio set	120	35.5	35.5	35.5
	Using mobile phones	207	61.2	61.2	96.7
Valid	Using the internet	9	2.7	2.7	99.4
	No answer	2	0.6	0.6	100
	Total	338	100	100	

Table 3 above presents how respondents listened to the radio. The data revealed that 61.2% (n=207) of them listened to the radio via mobile phones while 35.5% (n=120) did it using radio sets, Only 2.7% (n=9) used the internet to listen to the radio.

Table 4: Places where respondents listened to the radio

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Home	140	41.4	41.4	41.4
	Car	57	16.9	16.9	58.3
	Office	60	17.8	17.8	76.0
	Anywhere	81	24.0	24.0	100
	Total	338	100	100	

Table 4 presents places where the respondents listened to the radio. Result from the table showed that 41.4% (n=140) listened to the radio in their homes while 24.0% (n=81) did it anywhere. Others listened to it in offices (17.8%) and cars (16.9). This reveals that a significant number of the respondents (41.4%) listened to the radio in their homes.

Table 5: Reasons for the respondents to listen to the radio

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Information	176	52.1	52.1	52.1
	Education	96	28.4	28.4	80.5
	Surveillance	52	15.4	15.4	95.9
	Tension release	14	4.1	4.1	100
	Total	338	100	100	

Table 5 above shows the reasons why respondents listened to the radio. Results indicate that 52.1% (n=176) looked for information and 24.4% (n=96) did it for education purpose. 15.4 (n=52) listened to the radio for surveillance purpose.

Table 6: The kind of news media respondents usually turned to during conflicts

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Radio	201	59.5	59.5	59.5
	Newspaper	47	13.9	13.9	73.4
	Television	6	1.8	1.8	75.1
	Internet	83	24.6	24.6	99.7
	None	1	0.3	0.3	100
	Total	338	100	100	

Table 6 presents the kind of media that respondents resorted to during times of conflict. Results showed that 59.5% (n=201) used radio while 24.6% (n=83) utilized the internet. This indicates that majority of the respondents (59.5%) relied on radio for information at times of conflict.

Table 7: The extent to which respondents considered radio as

Table 7: The extent to which respondents considered radio as a means of peacebuilding

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Great extent	168	49.7	49.7	49.7
	Much extent	83	24.6	24.6	74.3
	An extent	71	21.0	21.0	95.3
	Little extent	15	4.4	4.4	99.7
	No extent	1	0.3	0.3	100
	Total	338	100	100	

Table 7 above shows the extent to which respondents considered radio as a means of peacebuilding instrument. It is seen from the table that 49.7% (n=168) considered to a great extent that radio is a means to build peace while 4.4% (n=15) believed only to a little extent that radio could assist in peacebuilding. This shows that majority of the respondents (49.7%) believe to a great extent that radio can be used as a tool for peacebuilding.

Table 8: Respondents' view on whether radio creates awareness on the importance of peace

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	297	87.9	87.9	87.9
	Agree	27	8.0	8.0	95.9
	Neutral	10	3.0	3.0	98.8
	Disagree	1	0.3	0.3	99.1
	Strongly Disagree	3	0.9	0.9	100
	Total	338	100	100	

Table 8 above presents respondents' view on whether or not they agreed to the idea that radio creates awareness on the importance of peace. We understand from the table that 87.9% (n=297) strongly agreed and 8% (n=27) agreed, i.e., a clear majority of 95.9% believed that radio creates awareness on the importance of peace. Only 0.9% (n=3) strongly disagreed. There are relatively few respondents (11) between the two extremes.

Table 9: Respondents' view on whether radio programme enhances their understanding of peacebuilding

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	307	90.8	90.8	90.8
	Agree	21	6.2	6.2	97.0
	Neutral	9	2.7	2.7	99.7
	Disagree	0	0	0	0
	Strongly Disagree	1	0.3	0.3	100
	Total	338	100	100	

Table 9 above presents data on respondents' view of whether radio programme enhances their understanding of peacebuilding. It is seen from the table that 90.8% (n=307) of the respondents strongly agreed and 6.2% (n=21) agreed that radio programme enhances their understanding of peacebuilding while only 0.3% (n=1) disagreed to the idea. This means that the large majority (97%) realizes the value of radio programmes.

Table 10: Respondents' view on whether radio is an important source of news and information on peacebuilding

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	297	87.9	87.9	87.9
Agree	25	7.4	7.4	95.3
Neutral	8	2.4	2.4	97.6
Disagree	5	1.5	1.5	99.1
Strongly Disagree	3	0.9	0.9	100
Total	338	100	100	

Table 10 above presents data on respondents' opinions as related to the importance of radio as a source of news and information on peacebuilding. It can be seen from the table that 87.9% (n=297) of the respondents strongly agreed and 7.4% (n=25) agreed that radio is an important source of news and information on peacebuilding while only 0.9% (n=3) strongly disagreed. This shows that majority of the respondents (95.3%) believed that radio is an important source of news and information on peacebuilding.

Table 11: Respondents' opinions on whether radio contributes to resolving armed banditry conflicts and enhances peacebuilding

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	294	87.0	87.0	87.0
Agree	37	10.9	10.9	97.9
Neutral	2	0.6	0.6	98.5
Disagree	2	0.6	0.6	99.1
Strongly Disagree	3	0.9	0.9	100
Total	338	100	100	

Table 11 above reflects respondents' opinions with regard to the contribution of radio to the resolution of armed banditry conflicts and enhancement of peacebuilding. The table reveals that 87.0% (n=294) of the respondents strongly agreed and 10.9% (n=37) agreed to the fact that radio contributes to the resolution of armed banditry conflicts and enhancement of peacebuilding while 0.9% (n=3) strongly disagreed. This means that the majority of respondents (97.9%) concurred that

radio is of paramount importance in solving problems of armed banditry and alleviating violence.

Table 12: Respondents' opinions on whether radio programmes help in rebuilding peace after conflict

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	275	81.4	81.4	81.4
Agree	41	12.1	12.1	93.5
Neutral	13	3.8	3.8	97.3
Disagree	5	1.5	1.5	98.8
Strongly Disagree	4	1.2	1.2	100
Total	338	100	100	

Table 12 above presents respondents' opinions on whether radio programmes help in rebuilding peace after conflict. Results indicate that 81.4% (n=275) of the respondents strongly agreed and 12.1% (n=41) agreed that radio programmes help in rebuilding peace after conflict while only 1.2% (n=4) strongly disagreed. This shows that majority of the respondents (93.5%) believed radio programmes assist in rebuilding peace after conflict.

Table 13: Respondents' opinions on whether they always like listening to radio for peace programmes

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	282	83.4	83.4
	Agree	35	10.4	93.8
	Neutral	8	2.4	96.2
	Disagree	1	0.3	96.4
	Strongly Disagree	12	3.6	100
	Total	338	100	100

Table 13 above presents respondents' opinions on whether they always like listening to radio for peace programmes. The table shows that 83.4% (n=282) of the respondents strongly agreed and 10.4% (n=35) agreed that they like listening to radio for peace programmes while 3.6% (n=12) strongly disagreed. The figures clearly show that majority of the respondents (93.8%) like listening to radio for peace programmes.

Table 14: Respondents' beliefs on whether radio peace programmes help in saving lives and property

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	285	84.3	84.3
	Agree	35	10.4	94.7
	Neutral	9	2.7	97.3
	Disagree	7	2.1	99.4
	Strongly Disagree	2	0.6	100
	Total	338	100	100

Table 14 above presents respondents' beliefs on whether radio peace programmes help in saving lives and property. Results show that 84.3% (n=285) of them strongly agreed and 10.4% (n=35)

agreed that radio peace programmes help in saving lives and property. Only 0.6% (n=2) strongly disagreed. This means that majority of the respondents (94.7%) believed radio peace programmes assist in saving lives and property.

Table 15: Respondents' opinions on whether they always listen to the radio at times of conflict

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	266	78.7	78.7	78.7
Agree	53	15.7	15.7	94.4
Neutral	8	2.4	2.4	96.7
Valid Disagree	9	2.7	2.7	99.4
Strongly Disagree	1	0.3	0.3	99.7
No response	1	0.3	0.3	100
Total	338	100	100	

Table 15 enquired whether respondents always listened to the radio at times of conflict. Results revealed that 78.7% (n=266) strongly agreed and 15.7% (n=53) agreed that they always listened to radio at times of conflict while only 0.6% (n=2) strongly disagreed. This shows that majority of the respondents (94.4%) always listened to radio whenever there was a conflict.

Table 16: Respondents' beliefs on whether radio is the best medium for promoting peacebuilding

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	295	87.3	87.3	87.3
Agree	36	10.7	10.7	97.9
Neutral	3	0.9	0.9	98.8
Valid Disagree	2	0.6	0.6	99.4
Strongly Disagree	2	0.6	0.6	100
Total	338	100	100	

Table 16 presents respondents' opinions on whether radio is the best medium for promoting peacebuilding. It is seen from the table that 87.3% (n=295) of the respondents strongly agreed and 10.7% (n=36) agreed that radio is the best medium for promoting peacebuilding while only 0.6% (n=2) disagreed. This means that majority of the respondents (98%) believed radio is the best medium for promoting peacebuilding.

Table 17: Respondents' beliefs on whether radio is an effective mechanism for peacebuilding

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	294	87.0	87.0	87.0
Agree	36	10.7	10.7	97.6
Neutral	2	0.6	0.6	98.2
Valid Disagree	2	0.6	0.6	98.8
Strongly Disagree	3	0.9	0.9	99.7
No response	1	0.3	0.3	100
Total	338	100	100	

Table 17 shows respondents' opinions on whether radio is an effective mechanism for peacebuilding. It is understood from the table that 87.0% (n=294) of the respondents strongly agreed and 10.7% (n=36) agreed that radio is an effective mechanism for peacebuilding. Only 0.9% (n=3) strongly disagreed to it. It is thus clear that majority of the respondents (97.7%) had the conviction that radio is an effective mechanism for peacebuilding.

Discussion

This paper investigated the role of media, particularly radio, in peacebuilding in Zamfara State of Northwestern Nigeria. Although all the respondents listened to the radio for different purposes, it has been found out that 52.1% did it to get information. This concurs with findings by Adejo (2014) that showed majority of his respondents relied on radio for information. This study further discovered that majority of the respondents (94.4%) turned to radio at times of conflict and this coincided with the finding by Best (2011). Moreover, the majority of the respondents (98%) believed that radio is the best medium for promoting peacebuilding. This goes in compliance with findings by Bosch (2011) that showed radio was the best medium in terms of promoting peacebuilding in Zimbabwe. Furthermore, majority of respondents in this study (94.7%) had the conviction that radio peace programmes help in saving lives and property. Kombol (2009) and Malakwen (2014) buttressed that radio and mobile phones are capable of preventing conflicts, and ensuring and sustaining peacebuilding.

Conclusion

The paper discussed respondents' perceptions of radio as a mechanism for peacebuilding. The paper discovered that radio plays positive roles in peacebuilding in society. Radio played significant roles before, during and after conflicts in many places. It is the most popular news media in creating awareness on the importance of peacebuilding and rebuilding peace in Zamfara State. The findings of this paper contributed to the theoretical framework of the study in that respondents preferred listening to the radio for many reasons including during conflict situation.

The paper is useful and relevant to decision makers when looking for appropriate techniques and mechanism for solving problems after a conflict situation. Radio proves to be effective in dousing tensions and disseminating information on what needs to be done as the findings of this study discovered.

Recommendations

The paper recommends that the government should formulate policies that make it possible to involve radio in conflict resolution efforts since radio is cheap and easily accessible to many people. It also recommends that media organizations should come up with broadcasting policies that give more prominence to issues of conflict resolution and peacebuilding, especially with regard to the frequency of peace and conflict resolution programming. In addition, the media should design programmes that allow audience participation since issues of conflict touch all people.

About the Author

Idris Mohammed is a lecturer at the Department of Mass Communication at Usmanu Danfodio University Il Sokoto and an investigative journalist on violent extremism and terrorism. His area of research covers media and peacebuilding, terrorism, journalism, mental health and democratic governance in Africa. He has over 5 years' experience in promoting democracy, peacebuilding and dialogue, human rights and justice in Nigeria. He led projects on security and governance with the Center for Democracy and Development (CDD), served as a Program Officer on elections and governance with YIAGA Africa. He is currently a Peace Facilitator and Data Enumerator with United State Institute of Peace (USIP). Idris has participated in several research studies on addressing conflict through non-kinetic approaches and democratic governance in Nigeria.

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The Boko Haram Insurgency and the Festering Human Insecurity in North-East Nigeria

Anene Chidi Pensive

Abstract

The study establishes a nexus between Boko Haram insurgency and human insecurity in the north-east of Nigeria. Anchoring on the concept of human security, the study adopt qualitative method of data collection and analysis which relied heavily on extant literature from journal articles, official documents, workshop and seminar papers, newspapers, magazines and internet sources. The study argues that though human insecurity is a major driver of the Boko Haram insurgency. The lethal and destructive activities of its actors have heightened and widened the spate of human insecurity amid debilitating food insecurity, physical harm, internal displacements and hemorrhaging refugee syndrome. The study concludes that military combat alone cannot tame the Boko Haram insurgency and thus recommends that, the government should adopt credible measures to address the human security challenges as an effective and functional counter-insurgency strategy.

Keywords: Counter-insurgency, insurgency, insecurity, violence, state, Boko Haram

Introduction

Since the end of the Cold War, statist nationalism which used to be the hub of citizen-state relationship has given way to intra-state nationalism. In the wake of this altered relationship between the state and its citizens, the hitherto predominant classical inter-state war is in drastic decline with disturbing implications. Thus, other more internal threats beyond the full control of states have emerged. These include ethnic conflicts, religious militancy and terrorism-like insecurity whose common cause, to a large extent, is situated in the failure of the state actors to fulfil their human security obligations to citizens. In effect terrorism appears to be a major means of non-state actors to register human insecurity and displeasure. It has now attained an epidemic level and has become increasingly lethal in nature (Ekpe, 2012; Kegley, 2006).

It is in this post-Cold War wave of non-state actors' use of terrorist acts committed to attract the attention of the state and register their displeasure or disillusionment that Boko Haram insurgency could be located. Prior to the end of the Cold War, the states that were in existence had a stronger central authority which was able to keep tenuously intergroup unity through the instrumentality of rewards and sanctions (Taras and Ganguly, in Obikaeze and Iheka, 2016). Thus, the sense of nationalism inter-state or cross-border conflicts seemed to blur the internal discontents during the Cold War. In the case of Nigeria, the elite conspiracy succeeded in breeding identity politics with which it used to negotiate power among them while swaying the masses away from issues of their human security concerns. The post-Cold War era coincided with the advent of revolution and proliferation of computer high-tech information technology as well as small arms and light weapons (SALWs) across boundaries, leveraging non-state actors with the capacity to challenge the state authorities. Thus, issues of human rights violations which were hitherto unchallenged began to be challenged and such resistance to state authorities led to more repressive actions, violent insurgency and counter-insurgency conflicts within the state (Aboagye, 2007). "In this scenario, the extraordinary growth in information technology and advancement in communication through social networking sites can easily and rapidly polarize the landscape and recruit dissatisfied adolescents to terrorist militancy" (Ogata, 2020).

In order to do a proper analysis of the connection between Boko Haram and human insecurity, this paper shall address the following themes: The first one, the concept of human security, examines the nuanced issue of human security, particularly the debate between realists and idealists on the strength and weaknesses of each paradigm on human security. The second one critically traces the evolution of human security linking its origin to some empirical studies which metamorphosed into the concept of human security in 1994 by the United Nations Development Programme. The third theme addresses the evolution and motivating factors behind the Boko Haram insurgency. On this note, the paper traces the origin of Boko Haram to a religious group which later turned violent when it fell out with the Borno State Government and its leader and consequently hounded out. It further examines how the sect's motives ran contrary to that of the state and how the uncompromising stance of both resulted in the spate of insurgency and counter-insurgency in the north-east region. The last theme looks into the impact of the conflict in deepening the human security crisis in the region. This is expressed with some examples and statistics after which a conclusion is drawn and recommendations are made.

The concept of human security

Human security arose from the shared consensus among its advocates that there is a need to shift issues of security from a state-centred to a people-centred approach. More so, concern with the security of the state borders should include concern for the security of the people living within the state borders (Tadjbakhsh, 2005). Burgess and Grans (2012), corroborating Tadjbakhsh, drew the connection between human security and international security and conceived that the main kernel of human security demands that security threats be viewed equally from the perspective of the people with the notion that security threats confronting humans also affect international security. This is contained in the "human-centric" vision whereby the state no longer serves as the

only reference point of security discourse as conceived by the realists, but should also focus on the individuals that make up the state in the liberal perspective (Kerr, 2007; UNDP, 1994). The human security approach does not entail the displacement of the Westphalian state model but it is a way of filling the gap in the state-centric approach based on the notion that when human rights and development are enhanced and strengthened, the flashpoints of security are curtailed. The Commission on Human Security (2003) describes the approach as putting in place a system that “complements state security, enhances human rights and strengthens human development, ... seeks to protect people against a broad range of threats and empowers them to act on their own behalf”. Thus, security, as conceived by UNDP (1994), assumes that human security consists of two complementary elements: “freedom from fear” of threats from war, conflict and state-sponsored violence such as physical, sexual or psychological abuse, persecution or death, on one hand, and “freedom from want”, which includes freedom from preventable diseases, economic hardship, poverty, unemployment, and hunger.

Experts and academics such as Paris (2001, 2004); Duffield and Waddell (2004; 2006); Krause (2004); and Chandler (2008), among others, have debated the usefulness of defining human security in terms of freedom from fear and want which are fundamental to human security. These scholars have brought the concept of human security under scrutiny and heavy criticism. Prominent among these criticisms are those related to its conceptual ambiguity and absence of clear-cut definition. Paris (2001), for example, argued that human security can be equated with other vague concepts such as sustainable development. In other words, “everyone is for it, but few people have a clear idea of what it means”. On a similar note, Newman (2004) sees it as being “normatively attractive but analytically weak”. For Khong (2004), it amounts to prioritization of everything and by implication, we end up prioritizing nothing. Lending his own voice, Krause (2004) says that human security defined in its present broad form is “a loose synonym for bad things that can happen”. Sharing the sentiments of the issue of a broad definition of human security, Buzan (2004) and Owen (2010) look at its consequence as posing a practical challenge to policymakers who are charged with the responsibility of allocating resources that are already scarce.

Other brands of criticism such as Black (2006), Suhrke (1999), Booth (2007), Conteh-Morgan (2005) and Duffield and Waddell (2006) centre on the states’ use of human security initiative to further their own ends in terms of servicing their hegemonic interests in their own perspectives rather than being genuinely committed to emancipating the vulnerable and the poor. The last strand of critics of human security, which includes McCormack (2008) and Duffield and Waddell (2004), argues for the idea of human security rather than play an emancipatory role from the real challenge of human development. Instead, it leads to the classification of states into the weak and strong, the haves and the have nots, the developed and undeveloped so as to disempower the weak through such humanitarian interventions.

In spite of the perceived conceptual ambiguity which has been a major criticism against human security, proponents of the human security approach rather argue that the greatest strength of the approach lay in its inclusive, broad and holistic features (Johns, 2014). Proponents of human security such as King and Murray (2001) argue that the initiation of the concept plays both a

unifying and an organizing role that create an opportunity for broad coalitions to engage in specific security concerns which were constrained in the era of narrow state-centric conception of security. Lending credence to the above, Jolly and Ray (2006) and Tadjbakhsh and Chenoy (2007) contend that the post-Cold War security threats vary both within and across state boundaries; a flexible and broad definition of human security remains a viable option. Besides, Ewan (2007) and Uvin (2004) argue that it facilitates cooperation amongst international agencies in the intertwined spheres of security, development and human rights. Proponents support their argument with some progress made in coalition efforts such as the campaign to ban landmines in the 1990s that led to the enunciation of the Ottawa Treaty on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction as championed by Canada; the establishment of the International Criminal Court (ICC) in 2002, etc. (Franceschet, 2006; Shinoda, 2004; Robinson, 2001).

In the concept of human security, therefore, the link between human security and containment of the emerging domestic conflicts cannot be overemphasized. As expressed by Macfarlane and Khong (2006), “the link between human insecurity and international insecurity has been invigorated” in the sense that the failure to achieve the conditions that allow persons to live their lives free from fear and want can contribute, according to Vietti and Scribner (2013), to the insecurity of persons and by extension to conflicts that in turn generate insecurity as in the case of Boko Haram insurgency in north-eastern Nigeria where there is lack of human security, which encapsulates economic security, food security, health security, environmental security, personal security, community security and political security (UNDP, 2004). The failure to provide security from the human angle and level can disrupt development while the failure to establish mechanisms for development can exacerbate insecurity and lead to increased deprivation.

To this end, the broad scope of security encompasses two main ideas. The first one is the notion of “safety” that goes beyond the concept of mere physical security in the traditional sense of it, and the second one is the idea that people’s livelihoods should be guaranteed through “social security” against sudden disruptions (UNDP, 2004). Human security is thus the absence of fears of physical, sexual or psychological abuse, violence, persecution, or death and a socio-political atmosphere free of deprivation of gainful employment, food and health.

Evolution of the concept of human security

The concept of human security, as reported by scholars such as Nyberg-Sorenson, Hear & Engberg-Pedersen (2002), Chandler (2007), Stern & Ojendal (2010) and Human Security Centre (2005), emerged when the issue of security was widened based on empirical research carried out during the post-Cold War period. Not long after the Cold War, in the mid-1990s to be precise, the feature of conflict changed from the hitherto predominantly inter-state conflict to an intra-state conflict with the latter becoming more frequent than the former (Intrastate Conflict by the Numbers, 2013). In fact, the very foundation for respect for sovereignty was shaken during the Cold War; there was so much concentration on state-centric (national) security that eclipsed a comprehensive understanding of the nuanced issue of security. Nevertheless, the idea of linking

security to development, beyond the traditional notion of military-oriented security, was muted in 1977 when the then President of the World Bank and former U.S. Secretary of Defense, Robert McNamara, proposed that an international commission comprising distinguished individuals from poor and rich nations address the social and economic disparities that existed between developed and developing nations. The idea metamorphosed into the establishment of the Independent Commission on International Development Issues, chaired by the former German Chancellor Willy Brandt (Scully, 1982).

The Commission came up with a report that the bulk of the world's insecurity was triggered by the wide disparity between the rich and poor countries characterized by injustice and starvation. It, therefore, recommended that "if military expenditure can be controlled and some of the savings related to development can be boosted, the world's security can be increased and the mass of mankind currently excluded from a decent life can have a brighter future" (Independent Commission on International Development Issues, 1980). The next commission referred to as the Independent Commission on Disarmament and Security Issues, chaired by the Swedish politician Olof Palme, advocated for "common security". The Commission issued a final report that the world can only attain enduring security through cooperation on the platform of equity, justice, reciprocity, dignity, freedom from hunger, poverty, destitution and when they are gainfully employed (Commission on Disarmament and Security Issues, 1982).

These studies became a watershed to the idea of human security in the sense that issues of security were gradually broadened to include non-military dimensions of threats such as inequality, poverty, deprivation, which when tackled could stem insecurity. Even though reports by these commissions touched on the idea of human security, they only laid the foundation of concept of human security. As observed by Timothy (2004), it was the "Human Development Report: New Dimensions of Human Security" (1994) commissioned by the United Nations Development Programme (UNDP) that expressly linked security and human development as human security.

Although these Commissions promoted themes consistent with the idea of "human security," it was not until the 1994 Human Development Report: New Dimensions of Human Security by the UNDP that this approach became explicit. Building on conceptual developments related to security that cropped up in the 1980s, the report emphasized that social and economic insecurity threatened international stability (Timothy 2004). It opened with the following statement:

For too long, nations have sought arms to protect their security. For most people today, a feeling of insecurity arises more from worries about daily life than from the dread of a cataclysmic world event Most people instinctively understand what security means. It means safety from the constant threats of hunger, disease, crime and repression. It also means protection from sudden and hurtful disruptions in the patterns of our daily life (UNDP, 1994).

The 1994 UNDP report assumes that human security consists of two complementary elements: "freedom from fear" (threats from war, conflict and state-sponsored violence) and "freedom from want" (preventable diseases, economic hardship, poverty, developmental concerns) (UNDP, 1994). While experts and academics have debated the usefulness of defining human security in

these terms, freedom from fear and want are interlinked and fundamental to human security. The failure to achieve the conditions that allow persons to live a life free from fear and want can contribute to forced migration. The report identifies seven categories of threats to human security: economic, food, health, environmental, personal, community and political (UNDP, 1994). From such research, it was discovered that states themselves were perpetrators of insecurities given their failure to fulfil their obligations towards their subjects as well as threatening their existence (Tadjbakhsh, 2005).

During the Cold War, security was merely restrictive and state-centric defined in military terms. Accordingly, security was purposed to defend the territorial integrity and political sovereignty of the state. In this vein, both scholars and statesmen were preoccupied with the building of military capabilities of their states to ward off potential and real threats facing them. However, in the post-Cold War era, most of the interstate wars have given way to civil and ethnic wars which have been ravaging populations. The inability of the post-Cold War state and governance structures to secure its citizens became manifest with the tragic fratricidal wars in Somalia, Rwanda, and former Yugoslavia. The major cause of these intrastate conflicts was the failure of the government to perform its statutory functions manifested in poor level of governance, disruption of state institutional capacity to perform its functions, which in effect endangered the security of peoples' lives (Human Security Centre, 2005).

These new wars, according to studies by Jolly and Ray (2006), Debiel and Werthes (2006) and Kaldor (1999; 2007), are products of globalization and the emergence of intransigent nationalism has destroyed infrastructure deliberately targeting civilian non-combatants, thereby worsening and spreading poverty conditions while promoting the drive for criminal activities. Thus, "globalization, which not only creates wealth and opportunities but also widens inequality, has added further complications to security management" (Ogata, 2020). The challenges thrown up by globalization emerged to create a new security context that overwhelmed the conventional institutions of state manifesting as communication revolution, environmental concerns, poverty, etc. (UN, 2004). Given these growing concerns and challenges, the UN Secretary-General pointed out in his Millennium Report that a new understanding of the concept of security has become necessary, hence the need to place the "emancipation and development" of the individual at the centre of the security agenda" (UN, 2004).

In concrete terms, the concern expressed by the UN Secretary-General was captured by the United Nations Development Report (HDR). The Report observed that at the end of the Cold War, it was discovered that people should be at the centre of development. Hence, the central theme of the HDR underscores the fact that while the gross national product (GNP) and gross domestic product (GDP) were necessary to meet all essential human objectives, however, it was equally necessary to study how this national growth translates or otherwise fails to translate into human development in various states, particularly the developing states. Therefore, any development process which fails to capture the choices people have to lead lives that they value, cannot be said to accommodate human security. By so doing, the HDR embraces the intersection between security and development, which is translated into the concept of human security (Muguruza, 2007). It was the need to buttress this intersection between the Boko Haram insurgency and

human security that ignited the motivation for this study as discussed in the subsequent sections.

The concept of insurgency

Given the complexities associated with insurgency as a terminology, scholars have given diverse definitions portraying what it is and what it is not. The United States Government has described insurgency as “a violent political struggle for control of people and resources” in pursuit of “some common objectives to undermine the legitimacy of the government and bolster their own standing with the population” (Guide to the Analysis of Insurgency, 2012). Johnson (2001) describes insurgency as ‘complex emergencies’, where parallel, lower-level processes executed by separate but interrelated unit actors generate higher-level trends.’ Lammers (2017) breaks down the description of insurgency into four elements: (a) a group of actors (b) uses violence to (c) contest the sovereignty of the established regime, (d) with the aim of political change. Drew (1988) defines insurgency as “nothing more than an armed revolution against the established political order”

Other scholars see insurgency from the point of an organized armed group whose intention is to overthrow, seize or take over power through subversive means (Kitson, 1973; Joint Pub 1-02; FM 100-20/AFP, cited in Afzala, 1991). The diverse definitions paraded by scholars led Afzala (1991) to say that it is difficult to cover the issue of insurgency by mere definitions. He, therefore, considers insurgency as a rebellion by a dissident group that drew the support of a proportion of the population and has control over some portion of a state, engaging in real and potential acts of civil disobedience and sabotage with the aim of eliciting political, economic or social concessions.

Moore (2007) contends that the term insurgency continues to be used interchangeably, and inexactly, with warfare such as irregular warfare, unconventional warfare, revolutionary warfare and even terrorism. He further posits that “the interchangeability of terms is understandable, given the diverse nature and adaptability of those who wage insurgency and the overlapping traits of these types of conflict” (Moore, 2007). Thus, the diverse ways insurgents carry out their activities have made many conceive it as probably terrorism, subversion, guerrilla war, conventional war, revolution, coup d’état, etc. (Liolio, 2014; Curtas; 2006). However, in spite of these conceptions, Hassan (2014) has closely associated insurgency with terrorism. According to him,

... terrorism has become the main commonly adopted strategy by the insurgents. Terrorism in modern usage is associated with a certain kind of violent act carried out by individuals and groups rather than by the states and with events that take place in peacetime rather than as part of conventional war. As a strategy of insurgency, terrorism involves the adoption of some methods to achieve its goals. These include bombing, guerrilla warfare, kidnapping and abduction (Hassan, 2014).

This connotes that insurgency often uses terrorism to pursue the goals of the political movement. In this vein, O’Neil (1990) captures the transcendental expression of insurgency which makes it to be closely and often times interchangeably used with terrorism. Thus, by O’Neil’s (1990) estimation, insurgency is a struggle between a non-ruling group and ruling authorities in which the non-ruling group consciously uses political resources and violence to destroy, reformulate,

or sustain the basis of one or more aspects of politics. The main objective of insurgency is to challenge the existing government for control and it requires the active support of some segment of the population. Insurgencies do not happen if the population either supports the government or sees nothing to gain from fighting. The above explains why in most studies like the present one, Boko Haram is referred to as an insurgent group employing terrorist tactics to achieve its objectives, considering how it evolved from a mere religious adherent to a political tool and then to a full-scale insurgent group. Therefore, in the context of this study, Boko Haram is referred to as an insurgent group of non-state actors confronting state actors.

Evolution and motivations of the Boko Haram insurgency

The term Boko Haram in Arabic is translated to mean “Western education is sinful”. It is propagated by the “jama ‘Atul Alhul Sunnah Lidda’ watiwal Jihad” sect that believes it is committed to the Hadith of Prophet Muhammed’s teachings and Islamic jihad. Some analysts even contend that Boko Haram is a remote outgrowth of the Maitatsine riots of the 1980s and the religious/ethnic tensions that followed in the late 1990s (Johnson, 2011). The founder of Boko Haram (Mohammad Yusuf) was a radical Islamic cleric trained as a Salafist (a school of thought often associated with jihad) and was strongly influenced by Ibn Taymiyyah, a 14th century legal scholar, who preached Islamic fundamentalism (Johnson, 2011). There is a strong indication that Yusuf set up a mosque and an Islamic school in Maiduguri in 2002 (which attracted students from northern Nigeria and the neighbouring countries of Chad, Niger and Cameroon) to realize his aims of Islamizing Nigeria (Farouk, 2012). Prior to 2009, the Boko Haram group engaged the government in violent clashes, though its leader often criticized the northern Nigerian Muslims for participating in what he saw as an illegitimate, non-Islamic state and preached a doctrine of withdrawal. The group gained many followers especially when its leaders continued to speak against police brutality and political corruption with harsh government treatment (Johnson, 2011). The sect’s uprising reached climax in July 2009 when a widespread police and military suppression was reported due mainly to Boko Haram’s refusal to follow a motor-bike helmet law in the Bauchi, Borno, Yobe and Kano states of Nigeria. That year, Mohammed Yusuf and several hundred adherents were killed during violent confrontations with security forces. The brutal and extrajudicial circumstances of those killings set the sect on a vicious violent collision with state authorities. Boko Haram then embarked on a spate of vengeful attacks, targeting security forces, public infrastructure and other civilian targets (Badejogbin, 2013).

The motivating factors for the Boko Haram insurgency are intertwined in a chain of occurrences manifested in admixture of ethno-religious and socio-economic elements. The sect believes that the enthronement of Sharia Code will address the ravaging poverty, economic deprivation, inequality and marginalization that existed in the north-east and the human insecurity gap in the region. The sect is motivated by the need to use Sharia law to remedy the “grievances resulting from decades of poor governance, elite delinquency, and extreme economic inequality” (Asfura-Heim and McQuaid, 2015, p.v) prevalent in the north-east.

Ethno-religious motivation of the Boko Haram insurgency is a major factor in the insurgent activities in the north-east. Members of the inner circle of the Boko Haram adherents claim that they are motivated by falsehood among the Muslim political elites in northern Nigeria who chose to enrich themselves at the expense of adhering to the tenets of Islam. They accused the Muslim elites of compromising their Islamic faith given their level of cooperation with the Christian-dominated secular governance system (Olojo, 2013). Thus, the Boko Haram actors attributed the corruption and decline of the Muslim north in the Nigerian polity to the adoption of the Western system of politics and education (Asfura-Heim and McQuaid, 2015) and thus believe that the scourge of poverty and inequality which this Western influence has brought on the Muslim society would be stamped out by the full implementation of the Sharia law (Sodipo, 2013).

It is also believed that the sect is motivated by interethnic rivalry (Asfura-Heim and McQuaid, 2015). Historically, the minority Kanuri ethnic group from which most Boko Haram insurgents come has always had differences with the Hausa-Fulani majority in terms of holding sway, the political and religious leadership. The Kanuri converted to Islam before the Hausa-Fulani and the former view themselves as the rightful bastion of Islam in Nigeria (The Soufan group InelBrief, 2013). Being a territory that was under the Borno-Kanuri Empire (1380-1893), it has to a large extent been outside the influence of the Hausa-Fulani Sokoto Caliphate (1804-1903), which explains why the Shehu of Borno, not the Sultan of Sokoto, has remained the traditional ruler of Borno (Zenn, 2012). The Kanuri see themselves as a marginalized group by the Hausa-Fulani under the Sokoto Caliphate. These shared sentiments serve as a motivating factor for the Boko Haram insurgency, which the sect equally uses to recruit its membership (Asfura-Heim and McQuaid, 2015).

There are two probable explanations on why Boko Haram has used religion to advance its cause: first, religion offers an outlet for expressing discontent with the political order, and second, organizing resistance with religion as a rallying point confers advantages. It appeals to a ready audience of people with shared affinities, who have, or can be easily swayed into endorsing a common vision of what the social order ought to be, and are displeased enough to want immediate radical changes to the extant order. Besides, religion offers or reinforces identity, gives new choices, and provides affirmation and some meaning with which the terrorist can connect with the hope of charting a new social order, even if it means employing violence (Adenrele, 2012).

Based on the above motivations, the late leader of Boko Haram, Mohammed Yusuf, worked with the Governors to introduce and implement Sharia in several northern states in the 2000s (Asfura-Heim and McQuaid, 2015, p.27). It was when the sect saw that there was no improvement in the human security conditions of the people that it fell out with the government and sought violent means to introduce a real Islamic state. The classic case of alliance between Yusuf and Senator Ali Modu Sheriff is a typical example. It could be recalled that the political actors adopted Shari'a in twelve states, in what Mazrui (2012) described as "a cultural assertion by northern elites at the state level to compensate for their political decline at the federal level". Within this period, Yusuf rose to greater prominence when he reportedly formed an alliance with Ali Modu Sheriff, the three-time Governor and Senator and wealthy businessman from a prominent Maiduguri family.

The connection allegedly also generated resources for Yusuf and his followers. Even though Sheriff had denied any political link with Mohamed Yusuf, the late leader of the Boko Haram sect, a link could still be established because when the sect turned into insurgents, it started killing Borno State All Nigerian People's Party politicians, whom they claim reneged on promises. "After the politicians had created the monster", a former State Security Service officer said, "they lost control of it." Victims included Madu Fannami Gubio, a gubernatorial candidate and Modu Sheriff's cousin, shot with five others outside his family house in Maiduguri in January 2011, and Awana Ngala, ANPP's national vice chairman, shot in his home with a friend the following month — and just over a month before general elections (World Watch Monitor, 2020).

It was further reported by Luntumbue (2021) that the Boko Haram sect was initially supported financially by businessmen and politicians in north-eastern Nigeria who were anxious to win local elections. Mohammed Yusuf was engaged by the then Governor Sheriff to draw supporters for him during the election in return for financial support and the promise of working towards the adoption of Sharia law. The Governor reneged on the promise and conflict brewed, which metamorphosed into civil disobedience and consequent suppression by the government and radicalization of the Boko Haram sect (Friedman, 2014).

The emergence of the Boko Haram sect came at a time of serious socio-political unrest and economic decline in the country. As a result, Boko Haram drew a large following among poor unemployed youths in northern Nigeria and soon led them into violent confrontations with the state. Its success with recruiting unemployed youths has informed claims that economic deprivations lie at the root of the Boko Haram crisis (Badejogbin, 2013). Adenrele (2012), citing Kester (2012) and IFAD (2007), portrays the poverty rate in Nigeria as 158 out of 177 poor economies on the Human Development Index (HDI, 2008), despite its rich and abundant human and natural resources. He further narrated that in spite of Nigeria's plenteous resources and oil wealth, poverty is widespread to the extent that the country is ranked one of the 20 poorest countries in the world. Unsurprisingly, over 70% of the population is classified as poor, with 35% living in absolute poverty and the majority of them could be traced to north-east Nigeria, the theatre of the Boko Haram insurgency.

Findings of a study carried out by Adelaja, Labo and Penar (2018) show the strongest opinion centred on the notion that terrorists are typically unemployed people easily recruited by sponsors. Survey results also show that terrorists are motivated by poverty and economic problems coupled with other factors such as dislike for government, adherence to extreme political ideology and religious beliefs, manipulations by politicians as a ploy to stay in power and absence of democracy. Thus, in northern Nigeria, there is a common perception that violent extremism is entrenched in the socio-economic problems of the country. Further, there have been deep-seated social and economic disparities which lend credence to perceptions of marginalization and exclusion thereby making the region ripe for radicalization. For instance, the poverty rate among the population in the region was 69% in 2004 whereas the national average was 60.9% in 2010. Besides, economic productivity during the year was below the national average (UNDP, 2018). In Maiduguri, most residents live on less than two dollars a day. In this scenario, the impoverished masses of the

north seem to harbour a “quiet rage over their falling living standards, their lack of clean water, decent schools, health clinics and jobs” (Maier 2000). The predominant economic activity in the north-east is subsistence agriculture which had dwindled consistently over the past decades due to a lack of government support and investment, poor management and lack of access to new technologies and input. A combination of the above deprivations led to high levels of sustained unemployment (UNDP, 2018).

Over the years, there has been a limited state presence and governance capacity, which has contributed to low rates of economic growth and development. This led to popular discontent and loss of legitimacy amongst the populace which eventually served as a huge motivation for insurgency. There are chains of other socio-economic deprivations that bred discontents. These include: low human capital development due to the limited provision of education, health and water/sanitation services. This is reflected in the pre-conflict rate of literacy (28%), access to safe drinking water (under 50%), and access to health services (between 40 and 50%), which are all below the national average. Low levels of investment in economic infrastructure (market and transport infrastructure) have constrained economic productivity due to insufficient and deteriorated infrastructures (UNDP, 2018).

In specific terms, the Nigerian National Population Commission reports show that northern states have very low levels of literacy. In Yobe and Bauchi States, the illiteracy rate is 58% while in Borno State, 72% of children between the ages of 6 and 16 have never attended schools (Vanguard, 2011). These challenges of deprivations have produced a teeming number of vulnerable people breeding an army of disillusioned and impoverished individuals who have become easy targets and tools of religious fundamentalists as expressed by Boko Haram leaders. Furthermore, there are tens of thousands of unemployed youth and armed gangs such as the Almajirai and Yan Tauri in northern Nigeria that made the north-east states a hot spot for terrorist activities (Uzodike and Maiangwa, 2012). For instance, in many parts of the region, it is estimated that youth unemployment is as high as about 80% (Faul, cited in Uzodike and Maiangwa, 2012).

Ayegba’s (2015) contention that poverty and unemployment were the driving forces behind the Boko Haram insurgency in northern Nigeria typifies the fact that a high rate of youth unemployment has resulted in poverty and insecurity in the country. David et al. (cited in Ayegba, 2015) corroborated Ayegba’s contention and argued that “socio-economic indices such as poverty, unemployment, inequality, economic underdevelopment, low education, inter alia, underlie the emergence and persistence of Boko Haram’s terrorism”. These assertions suggest that the pervasive poverty and unemployment in northern Nigeria created the conditions especially for young people to be manipulated and recruited by Boko Haram. Although, some studies have found no link between poverty and terrorism, however, the vicious cycle of poverty and unemployment makes it easy for people to become prey to Boko Haram recruitment even as they “see Boko Haram as a job” (Botha, Ewi, Salifu and Abdile, 2017). Furthermore, the results of the study carried out by Evans and Kelikume (2019) corroborates the fact that poverty is a significant cause of Boko Haram terrorism in Nigeria. In other words, there is a strong association between poverty and increased terrorism. The study identified three factors that mutually reinforce poverty in

Nigeria as positively related to terrorism: inequality, unemployment and corruption. According to the report, inequality is positively related to terrorism, with the degree of responsiveness to inequality being elastic and statistically significant. Thus, inequality is consistent with higher levels of terrorism. Also, unemployment is positively related to terrorism. This is against the backdrop that the higher the level of unemployment in a country, the higher the level of terrorism. Lastly, corruption also has significant positive effects on terrorism, meaning, the higher the levels of corruption, the higher the level of terrorism.

Counter-insurgency strategy of the Nigerian state

As mentioned earlier, since the death of Mohammed Yusuf in 2009, armed confrontations between Boko Haram and the state authorities escalated into a wide range of violent campaigns against the state and the civilian population. The sect employed the tactics of destruction targeting community leaders, churches, mosques, markets and other public facilities; the use of terrorist attacks (suicide bombings); massacres and the abduction of hundreds of women and children. From 2014 onwards, the group escalated its attacks and gained considerable territory under its control (both in Nigeria and in neighbouring countries) in an attempt to establish a 'caliphate' (UNDP, 2018). The sect made effective use of information and communication technology which it deployed to disseminate information on how to carry out attacks, mobilize funds, post pictures of their attacks, warn the government, post pictures of those they held hostage, etc. In fact, the internet helped them a great deal to achieve their targets while beating the security operatives to their games (Akpan, 2015).

The response of the Nigerian government was a robust military operation which, in 2015, resulted in a progressive 'roll-back' of Boko Haram forces from most occupied territories in the Borno, Adamawa and Yobe states. However, while the military made a significant incursion into Boko Haram's stronghold, the gain came with a cost that resulted in significant collateral damage to the civilian population and adding to the existing waves of displacement (UNDP, 2018). Until 2013 when Boko Haram's havoc began to inflict a heavy toll on government facilities, military personnel and the populace, the Nigerian government treated the group as a mere embarrassment and nuisance, hence largely deploying public relations campaign against the sect. However, following a series of 'high-profile' bombings and kidnappings, coupled with international pressure, the government was forced to start dealing with the group in a more coordinated manner. It focused on kinetic military operations to kill and capture the fighters though in haphazard attempts at negotiations (Asfura-Heim and McQuaid, 2015). A follow up to the military operations was the declaration of a state of emergency in Adamawa, Borno, and Yobe states which were then flooded by soldiers. The government created a Joint Task Force (JTF) made up of approximately 8,000 soldiers, police, and other security personnel, with heavy support of fighter jets and helicopter gunships. Other measures included mounting roadblocks and checkpoints, cordon and search operations, raids on suspected hideouts, retaliation on suspected Boko Haram sympathizers and their property, mass arrests, and the co-option of local, non-statutory, self-defence militias (Asfura-Heim and McQuaid, 2015).

As part of the strategy, the Nigerian government started tracking communication lines in order to intercept insurgents' messages. Furthermore, the Nigerian military decided to shut down the GSM mobile communications in the three north-eastern states on 23 May 2013 to limit Boko Haram's communication capabilities, restricting their ability to re-group and re-enforce as well as limiting their ability to detonate improvised explosive devices. In doing this, the State security forces deployed an alternative mobile communication system using Code Division Multiple Access (CDMA) on Global Open Trunking Architecture (GoTA) from the Chinese manufacturer ZTE which was distributed among the police officers in north-eastern Nigeria before the mobile phone shutdown. This shutdown was done with the belief that mobile phones were essential for Boko Haram's activities (Jacob and Akpan, 2015).

Though these military campaigns were able to scale down the activities of Boko Haram, however, the group continued some pockets of surprise attacks and kidnappings. Prominent among these was the kidnapping of 276 female students from the town of Chibok in April 2014 (Brechenmacher, 2019).

Again in early 2015, the Nigerian government made frantic efforts to carry out a renewed offensive against the insurgents on the eve of Nigeria's election season. With the assemblage of the Multinational Joint Task Force (MNTJF) 'a loose coalition' of troops from Benin, Cameroon, Chad, Niger, and Nigeria, most of the previously held territories were seized back from Boko Haram. However, the counter-insurgency operations sparked off new waves of displacement as civilians were pushed from the countryside into military-controlled camps in urban centres. The military onslaught against Boko Haram was reinvigorated with the election of President Buhari. Since then, there has been an unprecedented decline of Boko Haram. The insurgents have been pushed back into more remote rural areas as they have reverted to their earlier guerilla tactics of attacks and suicide bombings (Brechenmacher, 2019). Besides, while the Nigerian security forces have struggled to consolidate control over rural areas and protect urban centres from sporadic attacks, the number of fatalities associated with the group has declined and the number of attacks has fluctuated although patterns of violence have remained consistent to a large extent since 2014 (Matfess, 2019).

At present, the group has splintered into two factions or cells. While the larger faction, the Islamic State of West Africa Province (ISWAP), is led by Abu Musab al-Barnawi, the relatively smaller one which is a group of militants and still bears the original name, Jama'atu Ahlis Sunna Lidda'awati wal-Jihad (JAS), is headed by Abubakar Shekau. ISWAP seems to have spread its tentacles in northern Borno, and is even recapturing a number of towns near Lake Chad previously controlled by the Nigerian military (Hassan, 2018). Some of the north-eastern states such as Adamawa, Yobe, and southern Borno have been inundated with greater security and the return of displaced populations is going on while in other parts of Borno State there still are ongoing heavy military operations and humanitarian crisis (Brechenmacher, 2019). Having briefly examined the counter-insurgency activities of the government and security agencies, our next point of interest is the impact on human security.

The impact of Boko Haram on human security in the north-east

There were a number of human security breaches that resulted from the Boko Haram insurgency, and to some extent, from the counter-insurgency exercise by the Nigerian authorities. These include breaches on the psychological and physical safety of the people, food security, and socio-economic well-being of the people. These infractions have deepened the level of human insecurity that existed in the region even before the Boko Haram insurgency. It is important to note that the impact varied across the six states that constitute the north-east geopolitical zone. For instance, the conflict has directly impacted the states of Borno, Adamawa and Yobe (the BAY states), and most predominantly the rural areas as there is government control in most major urban centres. The other three states of Bauchi, Gombe and Taraba have been impacted to a lesser degree, especially by pressure from evictees competing for the already weak means of livelihood and service provision (UNDP, 2018). Tables 1 and 2 below show the levels of imposed impact by state and population, as well as estimates of damages to social services.

Table 1: Breakdown of the population affected by the conflict in North-east Nigeria (2016).

States	Total People in Need	Host Community	Internally Displaced	Returnees	Sex		Age Group		
					F(%)	M(%)	Children(%)	Adults(%)	Elderly(%)
Borno	4.4	2.6	1.4	1.4	53	47	64	31	5
Bauchi	2.8	2.7	0.06		51	49	59	35	6
Adamawa	2.5	1.7	0.2	0.6	52	48	54	42	4
Yobe	1.6	1.3	0.1	0.2	51	49	59	35	6
Gombe	1.4	1.4	0.03		51	49	59	35	6
Taraba	1.3	1.3	0.04		50	50	54	39	7
Total	14.0	11.0	1.8	1.2	51	49	58	37	5

Source: United Nations, 2017 Humanitarian Needs Overview Nigeria, November 2016

Table 2: Estimated damages to social services by state (in US\$Millions)

Sectors	Adamawa	Bornu	Yobe	Gombe	Taraba	Bauchi	Total
Education	58	143.8	47.3	2.1	10.2	11.6	273
Health/Nutrition	21.1	59	32.9	0.4	6.5	27.8	147.7
Water/Sanitation	7.3	35	3.6				45.9
Totals	86.4	237.8	83.8	2.5	16.7	39.4	466.6

Source: Federal Government of Nigeria, North-East Nigeria recovery and Peacebuilding Assessment, 2015.

A quick examination of the above tables shows the variation of impacts by states and by population. All these damages have contributed to deepening the human security challenges faced in the north-east. Having looked at the table in general, let us examine the impacts thematically.

Human safety

The insurgency unleashed direct violence against the people and resulted in over 20,000 deaths in the north-east (UNDP, 2018). This number kept on increasing as reported by Matfess (2019), Boko Haram carried out about 2,800 attacks between 2014 and 2019 with more than 31,000 fatalities. According to the United Nations Development Programme 2018 National Human Development Report, attacks by Boko Haram had claimed 32,570 lives in Adamawa, Yobe and Borno States in a period of eight years (Tribune, 2018).

As reported by Reliefweb (2020), between January and the end of November 2020, there was a total of 142 Boko Haram insurgencies in parts of Adamawa, Borno and Yobe states in which more than 1,606 people were killed, an average of 13 deaths per violent attack. The Boko Haram insurgency has left many living in fear in their communities, while some had to relocate for fear of attack, torture or arrest. For example, between 2009 and 2015, Amnesty International reported about 20,000 arbitrary arrests and widespread cases of extrajudicial killings committed by the military authorities. These human rights abuses further weakened communities that had already suffered Boko Haram's violence (Brechenmacher, 2019). The Boko Haram insurgents also unleash various kinds of human rights abuses on their victims. The Office of the Human Rights Council of the United Nations has catalogued a number of such abuses unleashed on the people of the BAY states (Borno, Adamawa and Yobe). One of the abuses is abduction. While boys were mainly abducted for indoctrination and recruitment into its fighting force, women and girls were abducted for sexual exploitation, forced marriages, labour and religious conversions to Islam. There were also practices of torture and other cruel, inhuman or degrading treatments such as depriving captives of food and water, cutting off hands or stoning to death. Other forms of abuses included violence against children and their use in hostilities. Some of the boys were forced to attack their own families to demonstrate their loyalty to Boko Haram while girls were forced to marry, clean, cook, carry equipment and weapons, etc. (Sieff, 2016; Olukoya, 2019).

Food and nutrition

The UNDP (2018) reported the different levels of acute food insecurity in the north-east. In the report, it was stated that Adamawa and Damaturu (part of Yobe State) were experiencing stressed food situation while Yobe State (except in Damaturu) was in a situation of food crisis. Parts of Borno state were in an emergency situation.

The conflict has adversely affected the economic mainstay and productivity in the North-east region, which is largely based on farming, pastoralism and fishing. These agro-livestock activities account for 80% of livelihoods. The main impacts of the conflict include inaccessibility and loss of productive assets and inputs due to displacement and destruction as farmers are even afraid to

go to their farms (Amalu, 2015). This has led to increased prices of agricultural inputs and food (with the latter increasing at an average of 7% annually in all six affected states). Agricultural production has declined sharply between 2010 and 2015 (Osagie, 2013, p. 24). In Borno, for instance, production of sorghum declined by 82%, rice by 67% and millet by 55%. Surprisingly, the state that used to produce about a quarter of Nigeria's wheat could no longer do that resulting in widespread loss of livelihoods and employment (International Crisis Group, 2017).

According to the Recovery and Peace Building Assessment (RPBA) undertaken in 2014-2015, the total losses in the agricultural sector (farmlands, buildings, equipment, livestock and equipment) due to the conflict amounted to US\$ 3.7 billion. The majority of losses have occurred in Borno State (64%), followed by Yobe (23%) and Adamawa (12%). In these worst-affected states, 5.1 million people are currently food insecure with Integrated Food Security (IPC) Phases 3 to 5 (with an estimated 100,000 people at famine levels of food insecurity), representing a 50% increase since March 2016 (UNDP, 2018).

By September 2017, food insecurity has reached extreme levels in parts of the BAY states, with an estimated 5.1 million people in IPC Phases 3 to 5, representing an increase of 50% in levels of extreme food insecurity since March 2016. Of this population, an estimated 100,000 people are in IPC phase 5 (famine). Direct causes of food insecurity include a combination of factors including physical displacement and loss of access to productive assets and employment, declining purchasing power due to decreased income and high food prices, and low availability of food due to disruptions in production, markets and transportation. As pointed earlier, prior to the Boko Haram insurgency, livelihoods in north-east Nigeria were already fragile due to dependence on subsistence-level agriculture, low average income levels, and scarcity of other revenue-generating sources. The destruction or loss of access to productive assets has decreased livelihoods and employment for many, resulting in a decline in labour force participation for that sector from 43% in 2009 to 27% in 2012-2013 (UNDP, 2018).

Health insecurity

Boko Haram insurgency has claimed a lot of lives and inflicted injuries on thousands of people through bomb blasts. Increased injuries, in turn, have led to the overcrowding of health care centres and hospitals with so much pressure on machines causing them to breakdown as well as the health staff working overtime. Besides, the sect has destroyed health care centres and facilities needed for the proper health of citizens. Health workers themselves who also are targets have fled from offices. Affected people across the north-east are having increasing difficulty in accessing health care services. According to The UN-Office for the Coordination of Humanitarian Affairs (OCHA, 2014), Boko Haram insurgents have attacked numerous health facilities and health workers, meaning that in large areas of Borno, Yobe and Adamawa, the health system is barely functioning.

Besides physical injuries, malnutrition-related diseases also affected the health security of the people in the north-east due to insurgency. Thus, malnutrition and disease have increased significantly in

the BAY states due to worsening food insecurity and destruction and inaccessibility of essential health and water/sanitation services. Acute food insecurity and lack of access to healthcare have led to emergency levels of malnutrition with 1.2 million children under 5 and pregnant and lactating women currently acutely malnourished. Lack of access to health care facilities has left 12 million people highly susceptible to diseases, with 6.9 million in the BAY states requiring urgent assistance. The risk of diseases is compounded by the widespread destruction of WASH facilities, which has left an estimated 3.6 million people without access to safe water, 1.9 million people without basic sanitation, and 6.2 million people without proper hygiene. Conditions in areas of high IDP concentration, including camps and informal settlements, are particularly troubling due to the unavailability of adequate health and WASH services. This situation has led to increased incidence of diseases, including outbreaks of polio and measles over the past year (UNDP, 2018). In the absence of access to health care, an estimated 6.9 million people have become vulnerable to some disease.

Displacements

The number of houses destroyed by the Boko Haram insurgency cannot be quantified. The destruction has left millions displaced. According to the International Organization on Migration (2015), over 2.1 million have been displaced in Nigeria by the Boko Haram insurgency. These internally displaced persons have migrated and now live in host communities and are in dire need of appropriate shelter and, in the long run, resettlement. The HNO (2014) noted that most internally displaced people are camped in schools, churches and makeshift accommodations which are mostly unfinished buildings or derelict houses. This massive displacement of persons has multiplier effects on the security of the victims. “Many of the communal and makeshift shelters are overcrowded and unsuitable in terms of water and sanitation facilities, cooking and privacy, especially for women” (HNO, 2014). The human security of the individual is threatened when such situations occur. Cases of theft and rape are often experienced; transmission of communicable diseases is high and most often women are worst-affected in such situations (Amalu, 2015). At least 600,000 people were living in congested camps and informal settlements in 2019 (Bilak, 2019).

As of October 2018, over 2 million individuals remained displaced, a number that has once again increased over the past year. Ongoing military operations around Lake Chad continued to force more people to leave their homes and drove others into secondary displacement, particularly due to the Nigerian military’s ongoing practice of clearing rural villages by pushing civilians into IDP camps in nearby towns. Some refugees that had fled to Cameroon have been forced to return to Nigeria further adding to the complexity of the situation (Brechenmacher, 2019). The number of IDPs has continued to increase among the states of Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe states. The figure recorded was 2,088,124 or 429,442 households, signifying an increase of 41,520 persons (2%) against the 2,046,604 or 420,072 households recorded in February of the same year (UN OCHA, 2020). These displaced people are suffering from shelter insecurity in the sense that there are lots of hazards in the camp. They have lost their livelihoods and human dignity. A study carried out by Azad, Crawford and Heidi (2018) reported that one in every four households affected by the Boko Haram insurgency has experienced displacement and loss of

economic opportunity. About 16% of affected households sent their children away or removed them from school while 12% faced additional costs for expenses such as medical treatment or replacement of stolen or damaged items.

Other socio-economic means of livelihood

Table 2 presented earlier shows the rates of damage to the social sector as a result of the Boko Haram insurgency in the north-east. As shown in the table, the destruction in the education sector amounted to \$58 million in Adamawa, \$143.8 million in Borno, \$2.1 million in Gombe, \$10.2 million in Taraba and \$11.6 million in Bauchi. The loss in the area of water and sanitation was \$7.3 million for Adamawa, \$35 million for Borno and \$3.6 million for Yobe. Boko Haram insurgency has greatly affected the educational sector as the sect had targeted schools and colleges with students and teachers injured, killed or abducted and facilities destroyed. According to the HNO (2014), “conflict and insecurity have had a direct and compounding negative impact on children’s access to education, availability of educational spaces and materials and ability of teachers.” Schools in the target states were closed (Awortu, 2015). The height of insecurity of persons in the education sector can be expressed by the abduction of over 200 female students at the Government Girls’ Secondary School in Chibok (Hassan, 2014), an incident that discouraged parents from enrolling their children and wards in schools and made them withdraw those already in schools. This has propped up great concern because the north-east has already been tagged as an educationally backward zone, thus the insurgent activities have worsened the case.

Other impacts include disruption of markets due to physical destruction of facilities. About 50% of markets are non-operational or intermittently functioning. Prices for agricultural inputs and food have increased with the latter increasing at an average of 7% annually in all six affected states. In addition to direct losses in productive assets, productivity has also been significantly impaired due to damages to the road network, which is estimated at \$526 million. Essential social services such as education and water/sanitation have been disrupted as the insurgents deliberately target and destroy infrastructures, facilities and equipment. In the education sector, 2.9 million children have been denied access to school due to damages and destruction to school infrastructure. Further, an estimated 75% of all water and sanitation infrastructures have been destroyed, compounding the pre-2009 shortages where only less than half of the population had access to safe drinking water. Displaced people bear much of the brunt of these realities, given the competition for access to limited services in areas of displacement, and their inadequate availability in IDP camps (UNDP, 2018).

As a result of the insurgency, the pre-2009 ailing macroeconomic conditions have significantly deteriorated. World Bank estimates indicate that economic losses incurred between 2011 and 2015 due to the conflict in the six affected states amounted to 1.66 trillion naira (approximately \$8.3 billion). Particularly, the loss in the three most affected BAY states was up to the tune of 75% (UNDP, 2018) and that was mainly associated with the decline in agricultural production. The loss culminated in a sharp increase in unemployment and poverty, decreased purchasing power

due to price inflation, and progressive inability of the state to fund emergency programmes and service delivery as and when due (UNDP, 2018).

Conclusion

The crux of this study was to reveal that Boko Haram insurgency has a negative impact on the human security of the Nigerian citizens and particularly in the affected BAY states of Borno, Adamawa and Yobe. The paper has shown that a number of factors such as the ICT revolution assisted in the springing up of the Boko Haram insurgency. The insurgency, however, has had serious negative impacts on human security and other areas as it has claimed lots of lives, aggravated food and nutrition insecurity, damaged health and education sectors and caused general fear and anxiety all of which need urgent solution.

Boko Haram insurgency is a threat to human security in Nigeria. Since human security denials and deprivation are the major drivers of Boko Haram militancy, the government should embark on a massive human security plan and funding to urgently address unemployment and poverty through genuine empowerment programmes, aggressive drive for school enrolments, provision of infrastructural facilities and good and accountable governance.

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Securing through the Failure to Secure? Civilian Joint Task Force and Counter-Insurgency Operations in North-East Nigeria

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Abstract

The advent of the Civilian Joint Task Force (CJTF) in 2012 had a great influence in the evolution of national security in the north-eastern region of Nigeria. This is because many scholars have, at various times, described the region as an 'unfinished' region, and of inevitable instability. This article interrogates the role of CJTF in counter-insurgency operations (CIOs) and its influence on the establishment and alliance with the military forces in the north-eastern region. The article succinctly investigates the efforts of CJTF and its CIOs. It also explicates, in clear terms and with relevant cases, CJTF's role in preventing and fighting insurgency in the region. In particular, it focuses on answering the following questions: Can the current security architecture of CJTF cope with the level of sophistication of the Boko Haram insurgency groups across the region? Under what arrangement will CJTF be able to adequately confront Boko Haram insurgency? What are the challenges affecting the CJTF's efficiency and effectiveness in this region? The article will also examine how existing CJTF can be strengthened to achieve effective CIOs against insurgency in the north-eastern region of Nigeria.

Keywords:

Civilian Joint Task Force (CJTF), insurgency, Boko Haram, north-eastern region, Nigeria

Introduction

The impact of the Boko Haram insurgency is evidently seen in the brutality it has perpetrated in various parts of Nigeria, mostly in the north-east. It has brought about a widespread loss of lives and property and has created dread and concern, both locally and internationally. The north-eastern region's unending violence, as a result of insurgency, is a tragic exposition that is symptomatic of human tragedy. Historically, the north-eastern region has been plagued by many forms of religious insurgencies and riots. Notable among these are the adventurous voyages of Islamic explorers in the tortuous era of Shaikh Uthman Ibn Fodio, culminating in the Jihad wars, and the cruelty of colonialism. This was followed by the absurdity of rampaging political disagreements of the twenty-first century, which birthed several insurgency groups that employ a variety of strategies. The north-eastern region has been a victim of its gift of nature, displayed by brutal predatory instinct and the natural wickedness of humanity. Since the beginning of 2012, the north-eastern region has been plagued with violent insurgent acts, which have caused negative effects on the locals.

As the nature of violent insurgency is changing from face-to-face attack to, predominantly, guerrilla warfare, the capacity of the military forces providing counter-insurgency operations (CIOs) to secure the locals is weakening. Consequently, this has reinforced the demand for collective security and a form of counter-insurgency support operation from the locals, who had been at the mercy of the military forces. While the military forces were arbitrarily detaining and executing them, on the one hand, the Boko Haram insurgents were rampantly killing them, on the other. Subsequently, the rate of casualties led to the shift in the local's support, reluctantly, from the military forces to the CJTF (M. Jidda, personal communication, September 23, 2018).

This demand eventually led to the formation of the Civilian Joint Task Force (CJTF) towards the end of 2013 in the north-eastern states, specifically in Borno, Adamawa and Yobe (Idris *et al.*, 2014). Still, according to Idris *et al.* (2014), the CIOs clause in the north-eastern region of the country mandated these states to work in collaboration. As a result, the mandate or right to fight the Boko Haram insurgency and other forms of organised crimes within the north-eastern region has been given to the CJTF. Insurgency is the deadliest kind of guerrilla warfare that the north-eastern region is currently experiencing (Kiras, 2010).

In particular, given the fact that the CJTF was mandated to fight a terrorist organization with a high level of sophistication like Boko Haram, the mission of the task force was generally perceived as difficult, if not impossible. It is important to state that Boko Haram was responsible for a total of 491 attacks and 5,478 deaths in 2014, and thereby ranked as the deadliest and second deadliest in 2014 and 2015 respectively (GTI, 2016). Besides, the United Nations Security Council in May 2014 enlisted the terrorist group among global terror organizations due to its affiliation with al-Qaeda. The group was subsequently linked with the Islamic State (IS) and the Islamic State in West Africa Province (ISWAP). However, the CJTF can be used as counter-terrorism architecture against the sophistication of the Boko Haram insurgents.

This has now spread to neighbouring regions as well. However, the investigations conducted in order to ascertain the reason for the violent insurgency in the north-eastern states have only shown the stances of the insurgency groups regarding economic, political, ethnic and religious ideologies. It must be noted that the concept of insurgency adopted in this paper is in accord with Silberman (2014)'s postulation which encapsulates wars that are fundamentally predicated on causing crippling fear and psychological debilitation among the targeted community. The insurgents instigate these insurrectional attacks in order to pressurise the government into surrendering to their ideological, religious and socio-economic demands. It follows that insurgency in itself can be defined as an act or threat of violence against non-combatants, with the aim of influencing a people or a government to succumb to specific economic, social, ethnic, religious, and political demand(s). On the other hand, violence only differs to an extent that ideologies stand as its scaffolds, and its intended goals are geared towards securing an economic, religious and socio-political order.

However, CJTF still lacks long-term CIO strategies on how to deal with all forms of insurgency and organised crime within the affected-contributing north-eastern states. According to the 2019 global terrorism index for Nigeria, the impact of terrorism was 8.6 per cent. The percentage fell gradually from 9.21 in 2015 to 8.6 in 2019. The north-eastern is presently experiencing acts of insurgency within the region (Global Terrorism Index, 2019). Geographically, activities by insurgent groups in the north-eastern region are tightly clustered along governed and ungoverned spaces of the region, stretching through Borno, Yobe and Adamawa (Abdullahi, 2015).

Since the emergence of the Boko Haram insurgency group in Nigeria (*Jama'atu ablis Sunna Lidawati wal Jihad*), there have been clear cases of sloppiness by the security forces in the affected states. They have not demonstrated active and meticulous response against the insurgents, especially in the ungoverned spaces in the region. The unregulated character of this insurgency group and its knock-on effects on the border, in most cases, have defied several attempts of counter-insurgency within the states of this region (International Crisis Group, 2017). Following this, the affected states took on the role of collective security responsibilities against insurgency. This collaboration eventually led to the formal establishment of the CJTF as a locally-based counter-insurgency force in the north-eastern region.

Before the formal launch of CJTF by the Borno State Government, the impression behind the formation was that it would function as a 'local initiative support' for the CIOs of the military forces. CJTF was a locally-based voluntary counter-insurgency initiative formed for the purpose of coordinating CIOs along with the military forces. The overall aim of the partnership is to fortify their capabilities to fight and defeat the insurgency group, as well as other related forms of organised crimes in the north-eastern region (Idris *et al.*, 2014). CJTF is, therefore, the most significant locally-based counter-insurgency architecture which was first established by the states in the north-eastern region (Gawthorpe, 2017). The main purpose of this article is to see if the earnest formation of the CJTF can be used as a counter-terrorism architecture against the state-of-the-art incidents or episodes, in the form of the new wars that the Boko Haram insurgents are waging, and if this can be formidable in organising CIOs against Boko Haram in Nigeria.

CJTF is made up of civilians from the north-eastern states and it properly works on CIOs in partnership with the military forces in Nigeria.

CJTF: Turning a Page in the History of North-eastern Region

Sequel to interrogating the accomplishment and operation of the Civilian Joint Task Force (CJTF) in the CIOs in the north-eastern region of Nigeria, it is necessary to have a critical view of CIOs landscape in the north-eastern region. The crafters and drafters must have informed the decisions of the military forces and the government authorities within the north-eastern region to influence the decisions of the locals to establish the CJTF, as part of counter-insurgency architecture, in order to support the activities of military forces in the fight against the Boko Haram insurgency group in this region. Following the insurgency activities within the states and the borders around the affected states, they responded with a vision of developing and building integrated and peaceful counter-insurgency architecture. The inspiration to initiate CJTF was conceived in Maiduguri, Borno State, likewise its eventual origination. The birth of CJTF was an important landmark in the CIOs in the north-eastern region's quest for peace and stability. It was on this premise that the CJTF, the arrowhead of this citizen-driven counter-insurgency option, was formally established by the Borno State government in 2013 (B. Shehu, personal communication, September 28, 2018). The circumstances surrounding its formation evidenced apparent dissatisfaction with the military forces' ineffectiveness in protecting its locals against the Boko Haram assaults (Maignawa, 2017). The CJTF simply fortified the existing local security system which was set up by the locals. The group has subsequently assumed numerous roles including the coordination of discrete surveillance – networks in the north-eastern region with the military combatants – and acting as auxiliaries or semi-autonomous fighting forces. However, by 2016, 680 members of the task force had already died during confrontations with the violent insurgents probably because they were equipped with local weapons only (Ebuzor, 2017). The CJTF's vision explicitly states an intention to defend the states' common interest, accelerate the region's development, and build peace within the boundaries in the states. At the same time, it was considered as a bold attempt by the states to genuinely redraw the map of the north-eastern region's CIOs architecture.

Olanisakin (2015) ascertains that the transformation within the collective security framework of the north-eastern region was a result of the collaboration between the military forces and the locals. The study describes the collaborative effort as visionary because both parties recognised that each of them could not single-handedly overcome the Boko Haram insurgency ravaging the north-eastern states. Part of the constraint was the unfamiliarity of the military with the terrain, the areas under the control of the insurgent group, the local people and their values. There is no gainsaying the fact that for over ten years, the north-eastern region has been experiencing horrific insurrectional attacks. Indeed, before the formation of CJTF, the outbreak of Boko Haram had literally changed the region into an active battlefield, battles between the military forces and the Boko Haram insurgency group - *Jama'atu Izalat al-Bid'awa iqamat al-Sunna*. The complex nature of the insurgency was not without an enormous security burden, which may have prompted the decision of the affected states to chart a new roadmap for the north-eastern region's

CIOs. However, the decision attracted some major debates particularly because the failure of the military forces to secure lives and property heralded the establishment of CJTF and also because the strategies adopted by the military forces to protect the locals proved grossly inadequate and unsuitable to stop or even mitigate the violent activities of the insurgent group. In addition to the problems of poor funding, poor intelligence coordination, inadequate military hardware, corruption and ineffective leadership, the military also suffered from inadequate knowledge of the affected areas and the lack of discrete surveillance networks. Consequent upon that, from the perspective of some debaters, the CJTF would add to the counter-insurgency intelligence system. They buttressed that perception by submitting that since the CJTF was made up of people who are familiar with the terrain, their fellow locals and the values of the areas under the control or attack of the insurgent group, then their participation would be effectual. They argued further that CJTF is symbolic and critical to the excellent performance of CIOs in the north-eastern region. It was also believed that they serve as lower-security-level interfaces in the war against the Boko Haram insurgency.

Accordingly, CJTF has been successful making meaningful progress in the area of CIOs in the north-eastern region. This can be attributed to the preciseness of the locals' interference clause, thus enabling CJTF to actively function as a complementary prop for the military force under which many atrocities were committed (Olanisakin, 2017). Although these clauses were seen as impediments in the CIOs of the military forces, they were perceived and accepted as huge contributions to the CJTF's success because they promoted peace and security in their localities. Thus, the conception of CJTF was inspired by global change in the nature of locals' intervention in CIOs.

Therefore, the reaction of the locals in the north-eastern region was not only to respond to the failure of the military forces, but also to conform to counter-insurgency strategies that would meet contemporary Boko Haram insurgency, and bring normalcy to their localities (Higazi, 2013). In other words, CJTF emerged to respond to the Boko Haram insurgency and other trends of organised crime within the north-eastern region. Thus, based on that premise, has the emergence of CJTF effectuated a positive change on the Boko Haram insurgency activities in the north-eastern region? The answer to that question occupies a central position in this article. Some would contend that the activities of the insurgents continued without any reduction in intensity and strength despite the establishment of CJTF. This may be true, especially when one considers the high level of killings in Borno, Adamawa and Yobe committed as a result of Boko Haram's incessant attacks in villages. For example, it has been affirmed that the Borno State borders are presently experiencing high-intensity of Boko Haram insurgency.

Based on the 2019 National Security Policy and Strategy of Nigeria, the north-eastern region of the country ranked the highest among places in Nigeria that have been ravaged by insurgents' activities and organised crimes culminating into guerrilla warfare (National Security Strategy of the Federal Republic of Nigeria, 2019). The report also supports the postulation that 70% of the states experiencing insecurity or insurgency in Nigeria today are from the north-eastern states, the

mutiny ranging from Boko Haram insurgency to herdsmen's violent operations. To some extent, the 2019 National Security Policy and Strategy appears frighteningly correct but to conclude that the face of the CIOs has not changed is nothing but an error of judgment (National Security Strategy of the Federal Republic of Nigeria, 2019). As this article may prove later, there have been some significant changes in the level of CIOs since the emergence of the CJTF in the region.

In fact, Oyewole (2015) shows that CJTF has demonstrated a new sense of purpose and direction to the CIOs, which are aimed at building peace within the region. Although not many investigations are available on the operations, techniques, methodologies and sustenance of the CJTF, and Nigeria's CIO settings remain complex, the situation has challenged the peace and security agenda in the region; stretched the capability and capacity of CJTF to a breaking point; and questioned its CIOs strategies. Nevertheless, the CJTF is still perceived as a timely response to the security challenges in the country's north-eastern region. Of all the pockets of insurgency activities in the region, none has perhaps exceeded CJTF's capability in the current state of the CIOs. The north-eastern region is arguably the darkest zone, especially considering the activities of Boko Haram insurgents which incidentally are a major concern in the local areas. However, it is important to remember that religious intolerance, marginalisation and injustice have generated forms of insurgency which exist until today. The national socio-economic and political situations in many states in the north-eastern region have generated insurgency beyond borders. The fragility in the strategies of government authorities for defeating insurgency and that of the state security apparatus, in general, has generated political crises throughout the history of the north-eastern states where insurgency is a possibility in the medium-term (Ibrahim and Bala, 2018). On one hand, there is an argument that the composition of the CJTF was a result of the failure of the counter-insurgency strategies adopted by the Nigerian security agencies. On the other hand, it is believed that the states involved in the creation of CJTF have justified its emergence as it has succeeded in putting an end to religious and ethnic crisis in the states. The CJTF could manage and prevent insurgency and also create an avenue for peace and security in the region. Besides, it succeeded in developing better CIOs in its respective state (Hassan and Pieri, 2018).

On the other hand, the CJTF is deficient in taking consequential measures in the area of CIOs in the north-eastern states. The reason for the deficiency can be attributed to the fact that the military force questioned the sanctity of the clause of locals' interference in discrete surveillance networks, military combat auxiliaries or semi-autonomous fighting forces, which is inserted into its mandate and under which many CIOs are operative (International Crisis Group, 2014). This particular clause constituted a great impediment to the CIOs' strategy of the CJTF.

Therefore, the archetypical shift in collective security was not only to respond to the failure of the military forces in CIOs but also to align CIOs with CJTF strategy, in order to match the contemporary fight against Boko Haram insurgency (Muzan, 2014). In other words, CJTF was structured to fit into the trends of military force in CIOs. The debate, therefore, is if the birth of CJTF has solved the problem of violent insurgency in the affected region.

The CJTF, in its CIOs against the perennial activities of the Boko Haram group in the north-eastern

region, has prompted a redefinition of the role played by the military. The redefinition conflated the operations of the military force and those of the CJTF in order to stem the deadly activities of the insurgents. As mentioned earlier, the ineffectiveness of the military force necessitated the inclusion of CJTF in the fight against the insurrectional acts of the Boko Haram sect. In the meantime, the new consensus on CIOs in the north-eastern region has attracted a wider debate hinged on the redefinition of the concept of collective security (Nwokeoma *et al.*, 2020). The CJTF has become more active in fostering CIOs at lower-security-level interfaces, interacting with locals, and also reflecting on the deepening of local contents and contexts in the war against the Boko Haram insurgency. It has continued working on dialogue at the local level and stifling the activities of Boko Haram in the territories of the north-eastern states. The operations of the CJTF have increased greatly and are still increasing. Besides, through the military forces, several restructuring activities that brought about the principles of collective security within CJTF and made it acquire new responsibilities and challenges took place. The purpose was to strengthen peace and security among the north-eastern states. As a result of the efficiency shown by CJTF, it has now been accorded the privilege of being notified whenever there is a new war against the Boko Haram insurgency in the north-eastern regional states (Raji and Ahmed, 2015).

In redefining CJTF, it is important to understand the context that made peace and security a significant asset in the north-eastern region. The vision of a peaceful and stable region, in contrast to other regions in Nigeria, is perceived by government authorities as an advantage in the context of the current CIOs flow (Omenma and Hendricks, 2018). At the same time, scholarly works have undertaken a debate on the new role of CJTF as shown in the literature cited earlier. In this context, the CJTF is considered to be a lasting solution to the Boko Haram insurgency. Two different paths are co-opted from the remaining parts of this article in order to answer certain significant questions.

First, it is important to reiterate that states in the north-east region have developed two new tasks during the establishment of CJTF as tools for defeating the Boko Haram insurgency. The first task was playing a leading role in supporting or promoting peace and security as well as maintaining CIOs in the region. The second was playing a central role in generating the north-eastern region's security paradigms, thus allowing CJTF to play an active role in fighting the Boko Haram insurgency. In addition, CJTF remains important counter-insurgency architecture for defeating all forms of insurgency and organised crimes, which have thrived in the previous years. Insofar as the locals in the states are involved, effectively collaborate and support the dreams and the visions of CJTF, one can see these functions of CIOs realized.

Second, states in the region have prevented a number of ethnic rivalries, political violence and arrays of strife, which have been essential in reducing the looming dangers of several religious wars. In consideration of the recurrent insurgencies or crises, a collective desire to redefine the role of CJTF has been stipulated to include the passage of partnership and collaborative effort in fighting and defeating Boko Haram insurgency in the states involved. Also, important conventions were ratified between the military forces and CJTF, among which is the debate on the redefinition of the concept of collective security against Boko Haram insurgency, launched by the military forces

in the region (Kasali and Odetola, 2016). The military forces have designed a mandate to review the CIOs architecture of the region. Among the issues under scrutiny include the effectiveness of CJTF, given its mandate to orchestrate a collective–collaborative security CIOs network in the region, and the drive towards greater transparency in managing CJTF capacities (Gana, Samsu and Ismail, 2018). The debate on the concept of collective security notably exists in addressing the current situation in the north-eastern region.

A redefinition of the notion of collective security should involve the incorporation and expansion of the concept, i.e., making a paradigm shift from collective security to partnership or collaborative security. This expanded concept for collective security will then allow for the perception of the interdependence between threats and insurgency. In essence, the perceived notion of insurgency to security such as extremism in the north-eastern region would not only be accepted but also defeated by the CJTF. In other words, efforts to deal with all forms of insurgency have acquired new forms of legality.

A new north-eastern regional counter-insurgency framework has been generated and CJTF is a product of this development. However, this has generated some of the debatable questions on the CIO measures which were discussed at the beginning of this article. However, the emphasis on CIOs, which guarantees transparency of security, has replaced the stress of deterrence in the concept of collective security or collective counter-insurgency defence. The idea of arms control within the region is not explicitly stated in the security policy designed for the CJTF. For instance, in 2014, the CJTF, affirming its support for the idea of arms control along with the military forces and the north-eastern region Nuclear Weapons Free-Zone Treaty (NWFZT), took on this subject (B. Shehu, personal communication, September 27, 2018). The NWFZT, which goes against the illicit production and trafficking of arms, ammunition, explosives and related materials used by the insurgents, expressed the link between the arms control plan and the conceptualisation of collectivism in the region.

In addition, there is a concern for peace and security in the north-eastern region, through CJTF CIOs, and the search for new roles for the north-eastern security architecture in order to acquire greater achievements. Presently, the states in the north-eastern region that have been ravaged by the Boko Haram insurgency have turned to CJTF as a catalyst for CIOs. Thus, CJTF, under the direction of the military forces, has conducted or coordinated locally-based CIOs with the police. It has sponsored training and capacity building programmes on the promotion of peace and security with the broader aim of strengthening the CIOs across the north-eastern states (Z. Ali, personal communication, August 14, 2018). Another follow-up objective is to deal with historic and ethnic rivalries, thereby creating an environment that permits the states to modernise their CJTF forces, without triggering suspicions from the locals or leading to an arms race. A number of meetings between the CJTF and military forces on peace, security and other CIO-related issues have been held. This locally-based CIO initiative provides a framework for advance notification of acquisition and management of weapon systems. The participation of CJTF in different aspects of CIOs attests to its vast involvement in the protection of the locals and, by extension, their states.

Moreover, CIO arrangements complement the trend of collective security in the north-eastern region. There are joint operations and training between the military forces and CJTF. The recent experience of CJTF in the region can be viewed as a bottom-up approach or an indirect approach expressed by David Galula as a 'counter-insurgency theory (Galula, 2006).' The theory identifies two approaches to CIO: the direct and indirect. While the direct approach advocates strictly for military tactics, the indirect approach emphasises the incorporation of the locals in the fight. The most essential factor advanced in this idea is the notion that CIOs are about the local alliance or support, and that the military assumes just a single role, out of many.

CIO is a holistic system-of-systems approach which is designed and implemented to guarantee protection within a state, ideally with an existing government. The Galula (2006) CIO approach is locally driven and it is postulated with the assumption that it is more critical and is gaining more support from the locals in defeating a large number of insurgents. Moreover, the objective is to contribute, at the local level, to the authenticity of support for the military forces, with the goal of harnessing longer-lasting achievements. This reality in the locally-driven CIOs is motivated by the quality of the initiative of the locals.

However, this should be approached from two proportionate sides. In the principle of CIOs, maintaining the domination of military forces is vital, with the specific end of producing open and lawful help. Yet, the locals can demonstrate their initiative by giving support in the areas of shortcomings in CIOs efforts. As part of the north-eastern region's transformation process, CJTF has acquired new and different CIO roles. Its current programmes include peace and security in the north-eastern region. However, counter-insurgency experts and scholars have recognised many difficulties in the tasks of the CJTF (Dan-Azumi, 2018).

Significantly, the scholars have recognised that CJTF, recently, has not been able to reach its full operational capability although this was the goal set in the previous roadmaps and key documents (Bamidele, 2016, Bamidele, 2017b). Therefore, the military forces have to set a new mandate to guide the operational capabilities of CJTF and then work on the policy document that previously made CJTF lack the ability to fully manage its CIOs against the Boko Haram insurgency. Also, the military forces are yet to reach decision where only CJTF could be deployed for CIO missions. Challenges befuddling them include low level of awareness, lack of cooperation and commitment among members of the group and lack of institutional capacity and effective coordination among the commanders of CJTF in managing the Boko Haram insurgency and other related crimes in the region (B. G. Zamalak, personal communication, September 27, 2018). Therefore, there is a need for the adoption and finalisation of a Memorandum of Understanding (MOU) for the operation of the CJTF in the CIOs in the region, and for the locals mandated to participate in CIO missions against the Boko Haram insurgency within the region (Akali, personal communication, August 27, 2018). The states involved and the military forces are yet to outline fields of progress in the development of the CJTF framework in CIO activities in the region; but the CJTF has reached a landmark in the formation of common policy documents, annual training, counter-insurgency programmes, and improved training standards, which could be used collectively for logistic and operational CIO purposes. A notable achievement can be traced to the recent harmonisation

and rapid deployment of the CJTF in January 2015 alongside the military forces as part of the roadmap (Aliyu, A., *et al.*, 2015, Dietrich, 2015).

An achievement in the deployment of CJTF against the Boko Haram insurgency in the north-eastern region was reached in early 2019. This was when the military forces saw progress in the evolution of the CJTF's CIO architecture. Other connected aspects include policy development, establishment of management capabilities, and CIO strategic level of the CJTF (Integrated Regional Information Network, 2014, Hamza and Sawab, 2013). One significant argument in the assessment of these conditions was the possibility for the CJTF to reach its full operational capability without support of the military forces. Thus, it is clear that the military forces have had a central role in the CIOs in the north-eastern region, despite allowing the CJTF to contribute to promoting peace and security within the member states of the north-eastern region.

CJTF and Boko Haram's insurgency in the region

Following the above debate, the understanding of the efforts of CJTF with respect to CIOs to defeat the Boko Haram insurgency in the region is very important at this period. Although there is a lot of interesting literature on Boko Haram's insurgency in the north-eastern states, few have focused on the role of CJTF, contributing very little to the understanding of the subject matter. The studies even failed to make an analysis of the CIO architecture. Furthermore, there is no scholarly literature available on CIOs in the region that gives a detailed description of the role of CJTF in the context of its alliance with the military forces. Therefore, this article will serve as the first comprehensive study in terms of presenting historical understanding of CJTF's CIOs both in isolation and in alliance with the military forces. In this regard, it foregrounds the role of the military forces, which is strengthening the professionalism of warfare of the CJTF through the facilitation of various training. This could serve as the defining basis for lasting prevention of the post-Boko Haram insurgency crisis and the realisation of full restructuring where it is required.

Apparently, the CJTF has been mandated to fight the Boko Haram insurgency in the north-eastern states. It is involved in several CIOs ranging from humanitarian duties to local intelligence-gathering system, discrete surveillance networks, and military combat auxiliaries or semi-autonomous fighting forces. CJTF, with its knowledge of the local terrains and languages, as well as its intelligence-gathering capabilities, has contributed, to a large extent, to the triumphs recorded so far by the military's CIOs endeavours (Hassan, 2015). Thus, CJTF provides reliable supports in the CIOs architecture (Integrated Regional Information Network, 2013).

However, military forces have worked along with the CJTF in providing a reliable CIO framework. CJTF carries out CIOs along with the military forces, with the aim of addressing Boko Haram insurgency threats within the respective states in the north-eastern region (Odomovo, 2014). The cooperation within the CJTF is the most relevant factor that conditions this article, since the formation of CJTF has provided not only guidance but also notable support systems for the incursion of the military forces against the Boko Haram insurgency in the region. Regarding other forms of collaboration with the military forces, it can be said that the level of coordination does not have any significant results. Initially, the mandate of the military alliance with the CJTF

was to develop an autonomous plan. However, rather than following the initial plan, the military forces have taken the policies developed from the joint meeting as a guide in CIOs. In the context of collective security, through partnership, the military forces acknowledge the effort of CJTF in CIOs in the region. Thus, this evidenced the synergy between these two fronts in the CIOs in the region. The activities were undertaken by the CJTF to help consolidate what the military forces have been doing in the spots ravaged by insurgency (Olugbode, 2013).

Consequently, CJTF has been assigned with the mandate of promoting peace and security; it incorporates this mandate into its plan on a priority basis. Going back to its antecedence, CJTF was designed for collective CIOs in a bid to defeat Boko Haram insurgents in the region. This was to be done through consultation and coordination with the military force. The CIOs enacted by the CJTF are locally endorsed as collective security strategies which means that an attack on one is considered as an attack on all (Stratfor, 2013, Bamidele, 2017a, Bamidele, 2017b). As regards the Boko Haram insurgency within the north-eastern region, the emphasis lies on the use of violent means. However, the CJTF CIOs architecture outlines the procedures for state-building both within the respective states and neighbouring states. The legalist tradition, profoundly rooted in the region's culture and relevance, is firmly associated with the norm of peaceful resolution. When any form of threat is detected, CJTF designed CIO or response may be carried out either jointly with the military forces, or alone. CJTF engages the insurgents and defeats them, and this has been a landmark contribution to state-building within the region. CJTF has been successful in defeating Boko Haram insurgents and stopping insurgency from spreading to other neighbouring states (Yusuf 2014). The CIOs of CJTF are well-known in the north-eastern region. They have functioned as machinery for debate on CIOs since the inception of its establishment. CJTF was created to offer solutions to the rapid increase of Boko Haram insurgency activities, which have generated controversy. Thus, CJTF has played the role of interventionist in the process of defeating the insurgency and other organised crimes (Raji and Ahmed, 2015). Although the use of the military was extremely felt at the initial stage of the insurgents' attack, especially in Borno State, the containment of the Boko Haram insurgency threat to peace and security proved to be a significant issue and concept necessitating collective security in the region (Bamidele, 2017, Maignawa, 2017). Thus, the recurrent threat to peace and security engendered the origination of CJTF and the doctrines of collective security and state-building.

The CJTF has actively participated in initiating and promoting the Nuclear-Weapon-Free Zone Treaty in the region. It has also played a significant role in eradicating the proliferation of landmines and small arms in the region. It has acted as local support to neighbouring states and consolidated military efforts in order to find a lasting solution to and defeat insurgency in the region (Omenma and Hendricks, 2018). It is important to note that insurgency has led to the deaths of thousands of locals, and more than a million have been displaced from their homes in the north-eastern region (Jonah, personal communication, November 14, 2018).

In a nutshell, CJTF has been partisan in engaging the Boko Haram insurgency in the states of the north-eastern region with the purpose of defeating it and bringing the region to peace. CJTF has also been effective in CIOs functioning as insurgency preventer in the operational sense,

supporting the region's ambition to return to normalcy, that is, a state of stability or, better still, restoring the status quo and creating a forum for the maintenance of the norm of collective security.

Challenges of CJTF

The full actualisation of CJTF was initially postponed due to mixed feelings but was formally established later under the support of the former governor of Borno State, Kashim Shettima (B. Shehu, personal communication, September 28, 2018). The delay shows that the composition of the local security apparatus (i.e., CJTF) is unconventional, non-traditional and inconsistent, especially when compared with the standard military CIOs; and as such, it can be antithetical to the overall objective of the military forces (Gana, Samsu and Ismail, 2018). At the time of the conquest, Boko Haram had obtained sophisticated weapons, including substantial machine firearms and some of the CJTF's weapons from assaults on their installations, and those secured through provincial arms exchange. It is worth mentioning that CJTF's arrangements against the insurgents, by and large, have been more focused on Borno and Adamawa than anywhere else. Even then, the Boko Haram insurgents have remained versatile and highly mobile such that whenever and from wherever they were dislodged, they demonstrated their capacity to regroup. The Boko Haram insurgency had more time to gain ground because of the long time it took the CJTF and military forces to agree on collective security and form alliance in their deployments to the region. The territorial occupancy of ungoverned space by the Boko Haram insurgents also created demand for more weapons and that destabilised the locals and wiped out the benefits they have made in building the local economy in their states. This also prevented the flow of foreign direct investments to the region.

The issue of coordination has been a big challenge for CJTF especially for those in the rural localities. In other words, it was very hard for the military or for the CJTF's own commanders to coordinate the task force in the rural localities of the north-eastern states. It has also been difficult to coordinate different sectors and units to operate together and complement each other. These posed serious problems in dealing with the Boko Haram insurgency in the north-eastern states. These issues were central to CIOs and yet, no member of the CJTF has been thoroughly equipped to adequately deal with the Boko Haram insurgency in the region. Although CJTF was a very important local initiative in the region, it had never embarked on a monopoly of CIOs without the military forces. The proliferation of CIOs within CJTF and the military forces, thus, began to pose challenges at strategic and tactical levels. At the CIO strategic levels, both lower-security-level interfaces and higher-security-level interfaces, it has been difficult to ensure proper coordination between and among CJTFs of different states to achieve goals and operational methods (Bamidele, 2017a). While most members of CJTF agreed, in the abstract sense, that greater coordination was necessary, none of them liked to be coordinated, if it meant following another CIO agenda of the military forces. Strategic planning and coordination, which was important during the stage for CIOs, especially against the Boko Haram insurgency, became complicated between the military forces and CJTF.

This has generated a lot of delay in the deployment of CJTF for CIOs in the region. At the other lower-security-level interfaces and higher-security-level interfaces, or the tactical level, the porosity of CIOs has posed challenges related to inter-operability, coupled with the fact that commanding CIOs was made more difficult because CJTF from the states had been exposed to different kinds of training, and used distinct equipment. Militarily, there have been weaknesses; numerical power and solid intelligence-gathering mechanisms have also been poor across the region. The CJTF in some of the north-eastern states lacked training, equipment and discipline (Bamidele, 2017b). Training for respective CIOs has not seen any improvement over the years. Thus, specific areas of the CJTF-CIO architecture including its structural and management capabilities, political decision-making, mission planning processes and logistics, among others, still need to be enhanced.

As promoting peace and security is a critical enabler for CJTF-CIOs, shortcomings in this area have very serious implications for CJTF's Full Operational Capability (FOC). Another traceable problem is insufficient forces. The inability of the CJTF and military forces to adequately watch over the whole of Adamawa and Borno States, due to their large size, has led to restriction to bigger towns like Maiduguri and the borders in the north-east. Exploiting the situation, Boko Haram insurgents targeted communities where there is lighter CJTF and military presence. Further, they established 'camps' in the broad Savanna forest. However, CJTF reinforcements arrived in Borno using roadblocks and patrol operation teams to oust the insurgents from portions of these communities. According to a CJTF interviewee,

CJTF operation in north-eastern Nigeria is going on; however, information on the circumstance in Borno is filtered out. We do not have the nitty-gritty or general picture since the greater part of the cell phone systems have been turned off in the three states under crisis. Information is mainly coming from squeeze reports in Maiduguri, the state capital, or from individuals in regions bordering Cameroun who can cross the outskirts and make calls and from people leaving Borno State – including those who are relocated to different parts of the nation (CJTF member, personal communication, September 28, 2018).

It has become clear that Boko Haram insurgents, once expelled from the territories they controlled or places where they camped, tend to move to the outskirts of Borno and the border areas of other neighbouring communities. Consequently, many CJTFs have not been able to trace the precise locations of the insurgents. It should be noted that the number of CJTF is still very small, as compared to the number of Boko Haram insurgency groups (Bamidele 2017b, Hassan and Pieri, 2018). Although CJTF started with 8, 000 forces and later increased to 20,000, this number added to the military forces is still not enough for CIOs due to the vast size of the region and poor governance (CJTF member, personal communication, September 28, 2018). A related problem is the poor financial support from government authorities, which can be said to be the biggest problem within CJTF. According to the CJTF report, CJTF still needs \$1bn (£650m) to properly finance its force (B. Shehu, personal communication, September 28, 2018). The bottom line is that home-grown financing proves to be a problem, especially as the states in the north-eastern region, with larger budgets, prefer to invest on supporting the military on

their own domestic fronts rather than contributing to CJTF whom they have little control over. Other CJTF's CIOs have been co-opted from around the neighbouring border areas such as the axis of Borno's border with Niger, Chad with Cameroon, etc. and the military forces have even struggled to deploy more forces mainly because the ungoverned space is usually greater than the governed one. This implies that many CJTF units lack sufficient capacity for productive output because of their limited number of members. Worsening the situation is that regions that have relatively more CJTFs are often reluctant to deploy members under their units to other areas of need, especially in the dangerous environments where Boko Haram insurgents have better knowledge of the terrains.

Furthermore, complexity in multinational CIOs is another challenge faced by CJTF. This challenge reflects the fundamental constraint placed on CIOs by the rules of collective security architecture; legally, they cannot operate solely, without the consent of the military forces (Bamidele, 2017a). Also, CJTF's CIOs have to secure approval of the military forces and this could further delay responses to critical insurgencies. Another issue is that of ambiguity which often pervades the texts handed down by the military forces. Not only that CIO mandates are more complex than ever before, but there is also a lack of consensus on how certainly mandates or tasks can be fulfilled. CJTF is often told to assist the military forces and support processes without being given further specific instructions or pre-deployment training on how to do this (Bamidele, 2017b). A related problem stems from different forces within CJTF, interpreting general instructions differently in operational terms or ignoring certain orders from the military forces or sector commanders.

A further issue stems from the sheer difficulty of the tasks CJTF has to undertake, especially with limited resources and according to externally driven and usually unrealistic timetables. While it remains absolutely difficult to measure the impact and effectiveness of CJTF in preventing the Boko Haram insurgency group, the question of value of financial support calls for scrutiny. The approaches require partnership for the work to proceed and whether the resources have been used for the intended purposes. The cost-benefit analysis reveals the increased tendency of local grabbing of resources earmarked for CIOs. It is left to the CJTF and its networks to tap into resources but it still depends on the military forces to implement CIOs. There is a general feeling that countering the Boko Haram insurgency group has become an opportunity to fill ones' pockets while the real work needed to be done is left to the locals who have no access to funding. The implication of this and perhaps what has impacted the CJTF-CIOs negatively is the lack of rule-engagement between the locals and the military in the design of the CIOs. The lack of local sensitivities and contexts has resulted in initiatives that hardly work but which need to be implemented as part of fulfilling the CIOs. The activities of the Boko Haram insurgents are terribly audacious and unpredictable. Hence, for workable CIOs, the CJTF wants secured lines of communication with the military forces. Since it is said that it lacks rules of engagement, the CJTF sometimes becomes a nuisance and begins to intimidate innocent locals. This unruly act grossly violates the local's basic rights raising queries on their rules of engagement and operational procedure with the military forces.

This prompts the mandate to strengthen the rule of law and reform the security sector. Demobilisation, disarmament and reintegration have also posed huge problems to CJTF over the years. For instance, no matter how much force they used in their attempts, it was hard for the CJTF to disarm Boko Haram insurgents when the former were willingly operating in the region. Demobilisation is difficult to achieve especially when there are few opportunities to help the Boko Haram insurgents reintegrate into the society. Sometimes the entire process is met with hostility by the locals who do not want to reintegrate the insurgents among them, but instead, want them punished or killed. Another problem is the physical protection of the locals. Many CIOs in the region, particularly since 2016, have been grappling with the task of protecting the locals (Bamidele, 2017b). But it is important to recall that these mandates have always come with various caveats, usually that CJTF should only protect locals under imminent threat of Boko Haram insurgency.

In addition, it is rightly left for the military forces and CJTF commanders on the ground to decide whether they have sufficient capabilities to carry out specific protection tasks. Recently, most discussions and debates have centred on the failures of CJTF CIOs against the Boko Haram insurgency group in the region. Instances abound in 2019 after CJTF troops withdrew from CIOs in the Lake Chad Basin. Some of the CJTFs deployed to remote rural areas with harsh physical terrain and no access to infrastructure had to face huge logistic problems (Jonah, personal communication, September 28, 2019). A lot of them, deployed for CIOs in the Boko Haram insurgency hotspot in the neighbouring states, also had similar problems to struggle with. Moreover, some features have made CIOs particularly challenging to CJTF as they are not confined to the state borders. Another major challenge is lack of political will, i.e., not getting timely reactions from the military forces when the Boko Haram insurgency erupts. While the sinews of insurgency regularly stretch across political boundaries, CIOs are generally deployed to very few neighbouring states. CJTF has only been able to deal with part of the issues confronting them.

Conclusion

CIOs in the states of the north-eastern region are highly localised and they defy simplistic strategies and explanations based on stereotypes. This article argues that the CJTF has, since its establishment in 2013, followed the orientation of its mandate in a limited but important area, which is defeating Boko Haram insurgents by allying with military forces. The CJTF is very relevant because it plays an important role in mitigating the activities of Boko Haram insurgents in the north-eastern states so they do not result in full-blown guerrilla warfare. The capacity and capability of CJTF in generating communication channels to stamp out the Boko Haram insurgency and promote CIOs has been its greatest contribution. Norms have partly been developed within the CJTF as part of mechanism for defeating the Boko Haram insurgency, which is a necessary derive towards state-building. The pattern of behaviour observed in the above sections permits one to point out that the CJTF has been built to perform several functions, including defeating the Boko Haram insurgency within the region. It is also very important to stress that technical assistance given by the military forces in several arenas is still fragile, especially in the area of military apparatus. This range of technical assistance is acquiescence to military supports.

On the other hand, if we look at the data produced by the report of the military forces, it is clear that it aims at discrediting CJTF's effort and undermining its significant impact on CIOs in the north-east region. It claims that CJTF has been silent about Boko Haram insurgency in all surrounding states. However, this is because CJTF has not really developed a military capacity in spite of its experience in fighting the Boko Haram insurgency in the neighbouring states. Moreover, CJTF's decision-making with regard to CIOs is limited in context when seen against the wide division and polarisation of opinions in the region on matters concerning Boko Haram insurgency. The CJTF has assumed new responsibilities, particularly in the fight against Boko Haram insurgency and stopping situations from becoming more intense. However, the principle of collective security has been challenged. Although there is still an ongoing debate between local interventionism on the part of the CJTF, the front lines have definitely been redrawn. Thus, this article explicated the significance of CJTF in checking and stemming Boko Haram's insurrectional acts. However, it leaves for subsequent debate the Task Force's limitations in its endeavours in the north-eastern region of Nigeria.

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Nigerian Civil War Post-Conflict Peacebuilding: A Philosopher's Evaluation

Frederick Ifeanyi Obananya

Abstract

Using a qualitative research method, this paper evaluates Nigerian civil war post-conflict peacebuilding. It highlights that the reason for the unsuccessful implementation of the policy of reintegrating the victims of the war is the underlying factor for the consequent agitations for separation and protests in the country. The monstrous misconception of the state and its arrogation of, using the words of Akinwale, “ubiquity, omniscience and omnipotence” to itself has made the state, its institutions and its functionaries unaccountable to the citizens, thereby, leading to citizens without sovereignty. The negligence of this fact and the Nigerian state’s jackboot approach towards maintaining peace and post-conflict peacebuilding will only elicit more agitations for separation and protests.

Keywords:

Nigerian civil war, Rebuilding; Rehabilitation; Reconciliation; Reintegration, Post-conflict peacebuilding

Introduction

The wave of nationwide protests in the early months of October 2020, demanding an end to police brutality and bad governance, stimulates our minds to reflect on post-conflict peacebuilding in Nigeria. “Some reports of the events support the claim that soldiers opened live ammunitions on unarmed peaceful protesters at Lekki and Alausa while they waved the Nigerian flag and chanted the national anthem” (Obananya, 2020a). The aftermath of this protest provokes retrospection on how Nigeria has handled post-conflict peacebuilding.

A second wave of protest was planned. “Following the approval to reopen Lekki Tollgate by the Judicial Panel of Inquiry set up by the Lagos State government to investigate the October 2020 Lekki shooting incident, many Nigerians have taken to Twitter to protest that those who

carried out the alleged shooting of innocent citizens must face the law before the tollgate can be reopened” (Vanguard, February 8, 2021).

The events of the #EndSARS protest point to the fact that the state which ought to be accountable to the citizens has arrogated to itself, in the words of Anthony Akinwale (2017) “ubiquity, omniscience and omnipotence” leading to citizens without sovereignty (Obananya, 2020b). I will draw examples from the context of the reintegration of the victims of the Nigerian-Biafran war using the policy of the three Rs: “Rebuilding, Rehabilitation and Reconciliation” to show how post-conflict peacebuilding has, in a way, led to citizens being without sovereignty. But before discussing the reintegration of the victims of the war, I shall give a background of the war.

I

Nigeria as a country is located on the western coast of Africa. This land comprises different ethnic groups. In the year 1914, under the rule of Lord Frederick Lugard, the Northern and the Southern protectorates were amalgamated, hence the state, Nigeria. With the rise of the Pan-African Movement, in the 1950s, many African countries sought independence and on 1 October 1960, Nigeria became independent as a sovereign state. The citizens had hope in the new Nigeria but it did not take long for their hopes to be dashed.

The high level of corruption in government, the formation of political parties along ethnic lines, the affluent lifestyle of public office holders and their diversion of public funds for personal use made young military officers, led by Major Kaduna Nzeogwu, to intervene in Nigerian politics on January 15, 1966. This led to a counter-coup, since some reports claim it was an Igbo coup, and the killing of the Igbos in the northern part of the country (Achebe, 2012: 82). This eventually degenerated into the Nigerian thirty-month civil war, also known as the Nigerian-Biafran war, which spanned from July 6, 1967 through January 15, 1970 (Hurst, 2009).

At the end of the thirty-month war, Biafra was vast smoldering rubble. The head count at the end of the war was perhaps three million dead, which was approximately 20 percent of the entire population.... The worst had happened, and we were now forced to re-organize our thinking, expectations, and hopes. We (the former Biafrans) had to carry on in spite of the great disaster. We would have to adjust to the realities and consequences of a Nigeria that did not appeal to us any longer. Nigeria had not succeeded in crushing the spirit of the Igbo people, but it had left us indigent, stripped bare, and stranded in the wilderness (Achebe, 2012: 227).

II

After Major General Effiong had negotiated an armistice with the federal government, for General Ojukwu had left the nation, on January 15, 1970 he led the Biafran delegation and formally surrendered to the federal troops after a thirty-month war. “The end of the Nigeria-Biafra war was marked by the magnanimous proclamation of ‘no victor, no vanquished’ by the General Yakubu

Gowon-led Federal Military Government (FMG)” (Onuorah, 2018). Gowon made a broadcast to the nation in which he set the stage for post-conflict peacebuilding.

.... The tragic chapter of violence is just ended. We are at the dawn of national reconciliation. Once again, we have an opportunity to build a new nation. Now, my dear countrymen, we must recommence at once in greater earnest, the task of healing the nation's wounds. We have at various times repeated our desire for reconciliation in full equality, once the secessionist regime abandoned secession. I solemnly repeat our guarantees of a general amnesty for those misled into rebellion. We guarantee the personal safety of everyone who submits to Federal authority. We guarantee the security of life and property of all citizens in every part of Nigeria and equality in political rights. We also guarantee the right of every Nigerian to reside and work wherever he chooses in the Federation, as equal citizens of one united country. It is only right that we should all henceforth respect each other. We should all exercise civic restraint and use our freedom, taking into full account the legitimate rights and needs of the other man. There is no question of second-class citizenship in Nigeria.... (Excerpted from A. H. M Kirk-Greene, *Crisis and Conflict in Nigeria: A Documentary Sourcebook* quoted in *The American Historical Review*, Volume 78, Issue 5).

As a follow-up to the armistice and to foster the transition from negative to positive conditions, the Gowon-led administration introduced the policy of the three Rs: “Rebuilding, Rehabilitation and Reconciliation” towards the victims of the war. The policy of the three Rs of the Gowon-led administration, according to Kukah (2011), was a very imaginative and unprecedented development in Africa. But sadly, he continues, the three Rs were not properly implemented to yield the expected result due to military interventions in Nigerian politics which did not help create or sustain the basis for implementing the policy.

Had the military withdrawn, political affiliation would have made communication easy. Instead, we suffered another nine years of military rule. The wounds were still fresh and there was no attempt at creating a platform for dealing with past memories. (Kukah, 2011: 18).

I associate myself with Kukah's submission that the nine years of military intervention in Nigerian politics weakened the framework for a successful implementation of the three Rs. The reason for this unsuccessful implementation of the three Rs, which is the underlying factor for the consequent agitations for separation and youth protests, which is often neglected and not spoken about, is what this response will attempt to address.

While I admit that I quite agree with some of the points made by Kukah, it must not be mistaken for essential agreement. Our essential divergence comes from what I consider the root of the matter. It is my contention that the root of the matter, as far as the unsuccessful implementation of the three Rs is concerned, is the monstrous misconception of the state, its institutions and its functionaries (both during military and civilian rules) that makes them fail to understand that they are accountable to the citizens to whom the power of sovereignty belongs. The monstrous misconception of the state, its institutions and its functionaries, as is experienced in Nigeria and much of African nations, makes it difficult for them to be checked by the citizens; and “even when

citizens freely submit themselves to such a state, their effort amounts to self-inflicted tyranny....” (Akinwale, 2017). The result of this is evident in that fifty years after the civil war the Nigerian youths are still demanding accountability of the country’s leaders to the citizens to whom the power of sovereignty belongs.

The narrative of how the submission of the eastern region (the Biafrans) amounted to self-inflicted tyranny is exemplified, as Onuorah (2018) would put it, in a more sensational way than the real implementation of the three Rs.

It is worthy of mention that this paper is not about the marginalization of the Igbos or the easterners, but about the marginalization meted out to Nigerians of the eastern part of Nigeria. It is not about what happened to the Igbos or easterners. It is about what happened to Nigerians (of the eastern region). Though both suppositions are similar, they differ in their consideration and relation with the whole. The second, though using the Nigerian-Biafran war reconstruction as a case study, particularly speaks about the marginalization of Nigerians, the making of Nigerian citizens without sovereignty. But the first would lead us to nothing but tribal and religious sentiments which the recent “youths’ protests across the Nigerian states have, in a way, [made known that they are] ...not our fundamental problem, but a monstrous misconception of the state, its institutions and its functionaries” (Obananya, 2020b).

III

In his book *Post-Civil War Political and Economic Reconstruction of Igboland, 1970-1983*, Obi-Ani (2009) tells the story as follows:

At the end of the civil war in January 1970, most of the achievements had been shattered in the war: the war had uprooted much of the economic infrastructure of Igboland, claimed the lives of the cream of the society and disabled many. Confusion, a feeling of insecurity and despair prevailed among the Igbo. All of Igboland was studded with innumerable roadblocks mounted by the victorious Nigerian Army.

With the use of starvation as a weapon of war, there resulted a massive shortage of food in the eastern region. The conclusion of the war manifested all the more the reality of the situation, that many people were in need of food and medication. “However, the cessation of hostilities did not bring starvation and diseases to an immediate end in Igboland. Rather the sudden stoppage of the war brought to the fore the stark realities of the time: the thousands of the sick and the hungry, the virtual disappearance of means of transport, lack of farming implements and agricultural inputs — in short, the total collapse of the social and economic base of the Igbo people¹” (Obi-Ani, 2009).

¹ “There was mass unemployment in East Central State — the Igbo State — created by General Gowon in May 1967 in an attempt to undermine the solidarity of the peoples of the old Eastern Region. The State could only reabsorb 34,000 workers at the end of the civil war. About 800,000 people in the State remained unemployed. These included returnees to the State from other parts of the country before the Nigerian crisis and some traders whose capital investments were lost during the civil war. These unemployed people posed a great

The need to rebuild the social and economic base of the eastern region was obviously needed. The urgency of this need was shared by the Gowon administration. But this intention was poorly translated into action. Speaking about the situation, Mokwugo Okoye, who was later made the Chairman of the Rehabilitation Commission in the East Central State, in an interview on July 24, 1995, argued that besides the fact that relief materials were not sufficient,² more people lost their lives to hunger at the end of the war due to the mishandling of relief materials as some were diverted and also because of the government's selection of the humanitarian organizations and countries permitted to assist the Igbo people.

Those the regime felt had meddled in the internal affairs of the country by their support of the Biafran cause were told to keep their 'blood money'... The lukewarm attitude shown by the Federal Government to the plight of the Igbo people at the end of the civil war was replicated by some affluent Nigerians. This prompted the Christian Council of Nigeria Rehabilitation Commission to openly express concern about the uncaring attitude of this group. The association asserted that this group of people netted a fortune out of the civil war but lacked the conscience to spare part of their wealth towards alleviating the sufferings of their fellow countrymen rendered destitute by the war... (Obi-Ani, 2009).

On whether or not the Gowon-led administration's proclamation of "no victor, no vanquished" was a mere populist slogan and pious pronouncement is left for the reader to decipher and can be argued till tomorrow. But one thing was clear as Onwuka N. Njoku, a Professor of History, puts it in his foreword in Obi-Ani's book (2009): The efforts towards the implementation of the "Rebuilding, Rehabilitation and Reconciliation" policy were "halfhearted, superficial and double-edged. They scratched the thin veneer of layers of a huge problem."

As already mentioned, the easterners' submission to the Nigerian state amounted to self-inflicted economical tyranny. The currency exchange whereby "the Igbo people who deposited the old Biafran currency got a paltry sum of twenty pounds (£20) each irrespective of the amount of the Biafran currency an individual deposited" and the indigenization of companies in Nigeria at a time when the Igbos were economically disenfranchised were instances of indirectly making the easterners pay for the war (Obi-Ani, 2009). Achebe (1983) blames the then Federal Commissioner for Finance, Obafemi Awolowo, for this economic tyranny meted out to the Igbos.

Nothing has been said about the Abandoned Property Edicts – how the government handled the properties abandoned by the Igbos at the outbreak of the Nigerian war in different parts of the country, especially in Port Harcourt, and how this has generated a lot of conflicts afterwards as in

social problem to the State as there was no fund to rehabilitate damaged industries in the State or start new ones. Many people indulged in all kinds of vice in a desperate attempt to survive. The state of despondency was such that a 32-year-old pregnant woman was arrested at Ochanja motor park, Onitsha, while negotiating for the sale of her one-year-old baby girl for £15.18. This woman hailed from Ohaji village near Owerri" (Obi-Ani, 2009).

2 "The Federal government, through its National Commission for Rehabilitation (NCR) and the Nigerian Red Cross Society, provided some relief supplies to the people shortly after the war. The Nigerian Red Cross had stockpiled 13,000 tons of food and was making arrangement for another 7,000 tons by the end of January 1970. The foodstuffs were used in feeding about 700,000 war victims in the Eastern States within the first quarter of 1970. But the effort of the Federal Government did not go far enough. The estimated population of the Igbo at the end of the war was 7.5 million and that of the entire Eastern States was estimated at nearly 14 million" (Obi-Ani, 2009).

some places like in the Southern state (now Rivers state and Cross Rivers state) where some Igbos could not reclaim their properties. Professor Olutayo Charles Adesina, in his paper presentation titled, “Abandoned Properties: Re-engaging a Post Nigerian Civil War Narrative” at The West African Transitional Justice Centre, says “It is quite amazing to see the kind of passion that this has continued to evoke several years after the civil war. The civil war appears not to have ended.”³

In addition, Adesina highlights that the government made the reclaiming of properties difficult, first, as those whose landed property was leased to them and expired, found it difficult, and in most instances impossible to renew them; second, by the categorization of abandoned properties into four groups.

What the government did was to categorize the properties into four classes: a) those whose legal ownership was established beyond reasonable doubt and were returned to the owners; b) those for which the original owners could not provide documents to establish lawful ownership but were put in a distributable pool; c) those whose ownership, were lawfully established but were acquired and put in the distributable pool by the government; d) those whose ownership was established but which were compulsorily acquired for public purposes (Adesina, 2021).

Apart from class a) the categorization of the other classes amounted to conflicts; hence a panel was set to investigate the issue. The Daramola Panel at the end of its exercise recommended: the payment of 500 (five hundred Naira) to any previous owner, regardless of the size of the property, as the accumulation of the rent arrears from July 1967 to 1976 and that 75% of the abandoned houses should be sold to the indigenes of Rivers and 10% to other Nigerians excluding the Igbos. This decision amounted to a lot of conflicts, questions and court cases. But despite these, the Obasanjo-led administration identified with the implementation of the decision by the Abandoned Property Implementation Committee whose execution some challenged as being corrupt, and went ahead to make the decisions unchallengeable in court by Decree 90 of 1979 (Adesina, 2021).

Unfortunately, the country has not been sincere enough to admit the mistakes made through both the Indigenization Decree and the Abandoned Property Edicts after the war. These two policies perhaps well-conceived, had the opposite effect in dealing with the problems of national integration. It is impossible not to be moved by the sentiments expressed by the Igbos in expressing their predicament regarding the negative impact of these policies on delaying their integration into the mainstream of the nation's economy. Did the rest of Nigeria expect the Igbos to buy into the gains of the indigenization decree or reclaim abandoned property with the proverbial sum of twenty pounds allegedly given in exchange for all that any Igbo man possessed? We must be sincere to ask whether with hindsight we may not have done certain things differently. We cannot turn back the hand of time, but we can at least check to ensure that the hands of the

³ It is worthy to mention that many Igbos reclaimed their properties in the Western and Northern parts of the country as those who received the rent of the properties handed the returns to the Igbo owners upon their return after the civil war. But in Port Harcourt, the issue of abandoned property became a very big issue, according to Adesina, because of the over politicization of ethnicity as some people (“the so-called natives of Port Harcourt”) felt they were being ousted by the Igbos.

clock really work (Kukah, 2011).

A true retrospection shows that the Gowon-led administration and subsequent administrations could not actualize the policy of the three Rs. The Igbos felt excluded. Speaking at the CISLAC-FES Multi-Stakeholders Forum on Peace and Security Challenges in Nigeria, in Abuja on the 20th of June 2019, Oseloka H. Obaze opines that presently, despite exhortations and protestations, little or no attention is being accorded to the ethnic proclivities of the Nigerian state. He argues that the incisive calls for restructuring and separatist agitation are indicative of simmering discontent. A lingering sense of exclusion, real or imagined, according to Obaze, induces the agitation for separation.

In April 2015, Oba Rilwan Akiolu of Lagos threatened that Igbo residents of Lagos State should be ready to ‘perish inside the lagoon,’ if they do not vote for the ruling APC government in the State. The agitation and push back reached a new zenith on 17 June 2017, when Arewa Youths, in the so-called Kaduna Declaration, gave the Igbo people resident in the north a “quit notice.” These events underpin existing separatist fault lines (Obaze, 2019).

It is difficult to say but must be said, that the political will to address the separatist agitations exhaustively seems lacking in the present and previous administrations. “The increasing despondency and the tempo, with which separatism is being discussed, even if in hushed tones, should worry Nigeria’s policymakers.” But the jackboot approach – Nigeria’s preferred policy response to such national interest issues – has always yielded limited results. Its ephemeral impact of momentarily quelling such agitations, only elicits more fervent agitations further down the road. (Obaze, 2019).

Consequently, it would not be unreasonable to agree with Onuorah (2018) that the policy of the three Rs “turned out to be more sensational than real. It gradually became apparent that there were, indeed, those who emerged as ‘victors’ and others who were really ‘vanquished.’ The institutional and structural context of Igbo marginalization and alienation as reflected in subsequent developments and events in post-war Nigeria explain this point.” But objectively, we must also acknowledge that not only did Gowon’s proclamation of “no victor, no vanquished” seemed a mere pious proclamation, but the surrender of Biafrans and Major General Philip Effiong’s speech: “that the Republic of Biafra hereby ceases to exist” for it bears the same imprint, as the spirit of Biafra and its agitations continue to be on the rise (Adesina, 2021).

This paper has gone down memory lane to discuss the unsuccessful implementation of the reintegration policy so that the Nigerian state, with the benefit of hindsight, may learn from its past and turn the present challenges of the agitations for secession, protests for an end to bad governance and police brutality, the many insecurities and the need for state policing into opportunities to excel.

It is clear that the Nigerian state lost its opportunity of setting a sustainable post-conflict peacebuilding strategy. Yet again, in October 2020, another opportunity came knocking on its doors as Nigerian youths started online and offline protests against bad governance—against a

monstrous misconception of the state, its institutions and its functionaries. It was an attempt to redress the ubiquitous allocation of power to the state—one which does not take into consideration that the power of sovereignty ultimately belongs to the people. But just as in former times, the Nigerian state lost this opportunity as it unleashed its military power on unarmed civilians.

But all opportunity is not lost. The Nigerian state should desist from fatal and brutal methods towards sustaining peace and curtailing protests. This is because, as Momoh (2020) puts it, “Protests have always been part of political development. Resistance has been an important part of getting heard. Taking the people seriously is a principal part of national development. From ancient times [it has] been shown that the people want the best for themselves. The interests of the people are downplayed at the peril of the ruling class. Consequently, oppression sparks off resistance.”

To avoid an impending danger and to set the nation towards the roadmap of post-conflict peacebuilding, the Judicial Panel of Inquiry inaugurated by the Lagos State for the examination of the Lekki Tollgate incident of October 20, 2020, should deliver justice to the hearings presented before the panel of inquiry. Although the government in constituting the Judicial Panel of Inquiry has become a judge in its own cause, which is against the principle of natural justice and fairness, let it be the resolution of the Judicial Panel of Inquiry that the heroes and heroines who lost their lives at the Lekki Tollgate incidence have not died in vain. Let their blood on the Nigerian flag direct our noble cause and guide our leaders to recognize that the power of sovereignty belongs to the citizens so we may build a nation where peace and justice reign.

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