

NIGERIA AT 62: POVERTY, INSECURITY: ADVOCATING FOR AN EFFICIENT LEGAL FRAMEWORK

Usman Ibrahim*

Augustine Osigwe**

Leo Igbanoi***

Terfa W. Abraham

Abstract

This paper examines the socioeconomic conditions of the Nigerian current security challenges, as it attains 62 years of independence. The paper noted an increase in poverty and insecurity, as a result of the activities of *bokoharam*, bandits, kidnappers and unknown gunmen, across the geopolitical zones. The paper examines the relevant provisions of the Constitution of the Federal Republic of Nigeria (CFRN) and other Legal Frameworks on Poverty and Insecurity to ascertain the effectiveness of the framework in talking poverty and insecurity in Nigeria. In this regard, the paper aims to examine the challenges of poverty and insecurity in Nigeria and the factors causing the rise in poverty and insecurity. The paper adopts a doctrinal research method by analysing relevant primary and secondary data. The research recommends reviewing the CFRN and relevant Acts of the National Assembly to address the Nigerians social, economic and political challenges and to facilitate intelligence gathering and cooperation between the security agencies in Nigeria, amongst others.

Keywords: Poverty; Insecurity; Advocating; Efficient; Legal Framework; Nigeria.

1. Introduction

As the excitement of Nigeria's attainment of 62 years of independence continues, it is critical to examine how the socioeconomic conditions of the Nigerian people and human security have advanced. One recalls that two years after the discovery of oil in the Niger Delta in 1958,¹ as

* LL.M, BL, Senior Research Fellow, Department of Legislative Support Services (Bills and Legislative Drafting Division), National Institute for Legislative and Democratic Studies (National Assembly) Abuja – Nigeria. Email: smnibrahim2@gmail.com.

** PhD, Senior Research Fellow Department Economics and Social Research, National Institute for Legislative and Democratic Studies No. 14/18 Danube Street, Off IBB Way, Maitama, Abuja, Nigeria, **08038728652**, **acosigwe@yahoo.com**.

*** BA Hons, MA, PhD, Research Fellow, Department of Democracy and Governance, National Institute for Legislative and Democratic Studies (National Assembly), Abuja – Nigeria. 07053162958, email: lawlerry2k1@yahoo.com.

¹ Falola, T and Heaton, MM. 2008. *A History of Nigeria*. University Press, Cambridge.

well as a poverty rate of about 15%,² the expectation was that Nigeria was on the path of remarkable economic development that would better the lives of her citizens and symbolise the aspirations for self-determination of other African nations.

Six decades on, the Nigerian story has been an admixture of successful strides and many stops. For instance, while significant strides like the First National Development Plan (1962-1968) were initiated to catapult Nigeria to wealth through investments in agriculture, manufacturing, industry, and education, this same period witnessed the beginnings of the country's degeneration into political corruption, economic underdevelopment, and the rise of back-to-back military coups that became a crucial part of Nigeria's history for many years,³ and had given rise to different forms of security threats.⁴ This mix of progress and retrogression continued through the Second and Third Republics under different military regimes with different development plans—nevertheless, all being unable to address the main drivers of poverty and insecurity.

In the unfolding Nigerian story in these contemporary times, the twin problems of poverty and insecurity have remained constant and intractable. Nigeria is currently regarded as the world's poverty capital, with a poverty rate of over 40%, or over 90 million people living in poverty.⁵ In the same vein, the country is caught up in a security crossroads that threatens the core of her social fabric, has real implications for national and food security, and constantly distracts from effective governance, affecting sustained local and national development. To be sure, the Boko Haram crisis, kidnappings, bandits and unknown gunmen activities, the farmer-herder crisis, and other security threats posed by state and non-State actors allow for deep questions on the state of security in the country. However, these interrelations with aspirations for a Constitution that works for all Nigerians cannot be overemphasised. This is manifest in the constant calls from diverse sections of the populace for restructuring the country to bring about a better life for all while allowing each group to reflect on how they are positioned about the Nigerian State and Constitution.⁶

² Oshewolo, S. 2010. 'Galloping Poverty in Nigeria: An Appraisal of Government Interventionist Policies'. *Journal of Sustainable Development in Africa*, 12(6): 264-274.

³ Falola, T and Heaton (n1).

⁴ Ibid.

⁵ World Bank Report: Nigeria Still Poverty Capital of the World – THISDAYLIVE <[https://www.thisdaylive.com](https://www.thisdaylive.com/index.php) › index.php> 2021/09/06.

⁶ Ewok Iniobong, Worsening state of the nation amplifies calls for restructuring, available at <<https://businessday.ng/politics/article/worsening-state-of-the-nation-amplifies-calls-for-restructuring/>> accessed October 26, 2022.

These are some significant realities and challenges facing Nigeria and Nigerians 62 years after attaining self-determination. Therefore, we must interrogate them as a people if the country aspires to real progress in the years to come. This presentation aims to evaluate Nigeria has fared on poverty and insecurity over the last six decades and how these nexuses with a workable Constitution. The rest of the paper is structured as follows: section two highlights the challenges of poverty in Nigeria, while section three addresses insecurity issues over time. Section four considers legal frameworks on poverty and insecurity in Nigeria, while section five provides the conclusion and recommendations.

2. An Analysis of the Rate of Poverty in Nigeria

Poverty is the inability to live a fundamentally basic progressive life that would guarantee a sustainable and prosperous future.⁷ Over the years, sustained economic growth supported by high oil prices has not been inclusive enough to benefit the poor in Nigeria. As a result, poverty is a challenge in Nigeria, as available statistics from the National Bureau of Statistics (NBS) show that roughly 40% of people live below the poverty line.⁸ This is attributed to a significant part of the population, especially in the rural areas having limited access to education, health, electricity, and other essential services.

The World Bank projects the number of poor people in Nigeria to hit 95.1 million in 2022. In addition, the World Bank believes that the COVID-19 crisis is driving up Nigeria's poverty rate, pushing more than 5 million additional people into poverty in 2022.⁹ With real per capita GDP growth being negative in all sectors in 2020, poverty is projected to have deepened for the current poor. Those households above the poverty line before the COVID-19 crisis would likely fall into poverty.¹⁰ "Given the effects of the crisis, however, the poverty headcount rate is instead projected to jump from 40.1 per cent in 2018/19 to 42.0 per cent in 2020 and 42.6 per cent in

⁷ Brian Ames et al. Macroeconomic Policy and Poverty Reduction, International Monetary Fund and the World Bank, August 2001. Available at <<https://www.imf.org/external/pubs/ft/exrp/macropol/eng/>> accessed on October 26 2022.

⁸ The World Bank, Nigeria releases new report on poverty and inequality in the country; the National Bureau of Statistics (NBS) recently released the "2019 Poverty and Inequality in Nigeria" report, which highlights that 40 per cent of the total population, or almost 83 million people, live below the country's poverty line of 137,430 naira (\$381.75) per year.

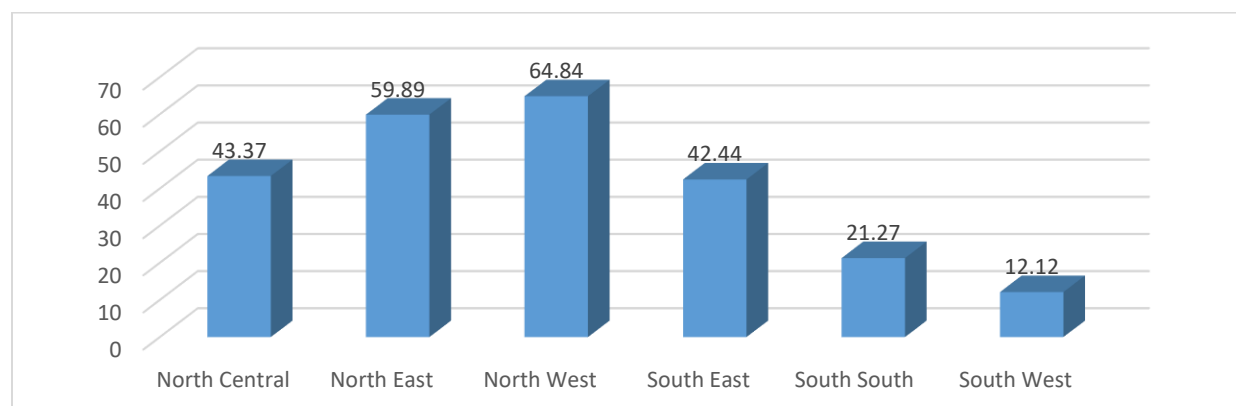
⁹ Sami Tunji, Poor Nigerians to hit 95.1m in 2022, says World Bank, the Punch online newspaper, available at <<https://punchng.com/poor-nigerians-to-hit-95-1m-in-2022-says-wbank/#:~:text=According%20to%20the%20Washington%2Dbased,reduction%20had%20stagnated%20since%202015.%E2%80%9D>> accessed on October 26, 2022.

¹⁰ Ibid.

2022, implying that the number of poor people was 89.0 million in 2020 and would be 95.1 million in 2022.

By spatial categorisation of regions in 2020, the Northern region; North – East (71.9 percent), North–West (64.8 percent), and North–Central (43.4 percent) are worse off than the Southern region; South–East (42.4 percent), South-South (21.3 percent), and South – West (12.1 percent) (Figure 1).¹¹ In terms of States, Sokoto State is reported to be the poorest (87.73 per cent), followed by Taraba State (87.72 per cent) and Jigawa State (87.02 per cent). At the same time, Kaduna has the lowest poverty incidence (43.5 per cent) among the Northern states. Cross River, with a poverty rate of 36.3 percent, led the Southern states, while Lagos State (4.5 percent) has the lowest poverty incidence in the Country.¹² As of 2021, comparing North and South in terms of poverty incidence, the scenario remained the same as the menace of poverty remains worst in the Northern region (see Figure 1).

Figure 1: Poverty incidence across geo-political zones in 2021



Source: NBS (2022)

Human Development Index

The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, knowledge and decent living. The HDI is the geometric mean of normalised indices for each of the three dimensions. The World Health Organisation (WHO) defined HDI as a summary composite measure of a country's average achievements in three essential aspects of human development: health, knowledge and standard of living. It is a measure of a country's average achievements in three dimensions of human development, namely:

¹¹ Nigeria Bureau for Statistics, 2021.

¹² Ibid.

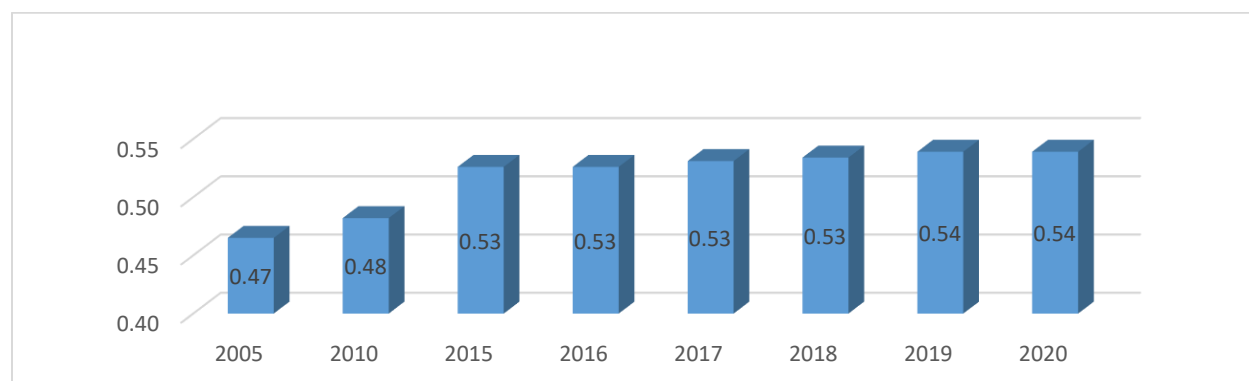
- i. a long and healthy life, as measured by life expectancy at birth;
- ii. knowledge, as measured by mean years of schooling and expected years of schooling; and
- iii. a decent standard of living, as measured by Gross National Income GNI per capita in PPP terms in US\$.

The HDI sets a minimum and a maximum for each dimension called "goalposts" and then shows where each country stands about these goalposts. This is expressed as a value between 0 and 1. The higher a country's human development, the higher its HDI value.

Nigeria's HDI value and rank

Nigeria's HDI value for 2019 was 0.539 - which put the country in the low human development category - positioning it at 161 out of 189 countries and territories. However, between 2005 and 2020, Nigeria's HDI value increased from 0.465 to 0.539, representing just a 15.9 per cent increase (Figure 2).

Figure 2: Nigeria's HDI Value (2005-2020)



Source: HDR (2020)

Nigeria's life expectancy at birth increased by 8.8 years between 1990 and 2019, mean years of schooling increased by 1.4 years and expected years of schooling increased by 3.3 years. Nigeria's Gross National Income (GNI) per capita increased by about 58.0 per cent between 1990 and 2019 (see Table 1). The COVID-19 pandemic exposed the extent of decay in Nigeria's health sector. Access to quality health care in Nigeria has become a luxurious good. In the Nigerian school system, people can only be sure of enrolment and not when they will complete their education, especially at the tertiary level. The industrial dispute between the ASUU and the governments is a pointer to this claim.

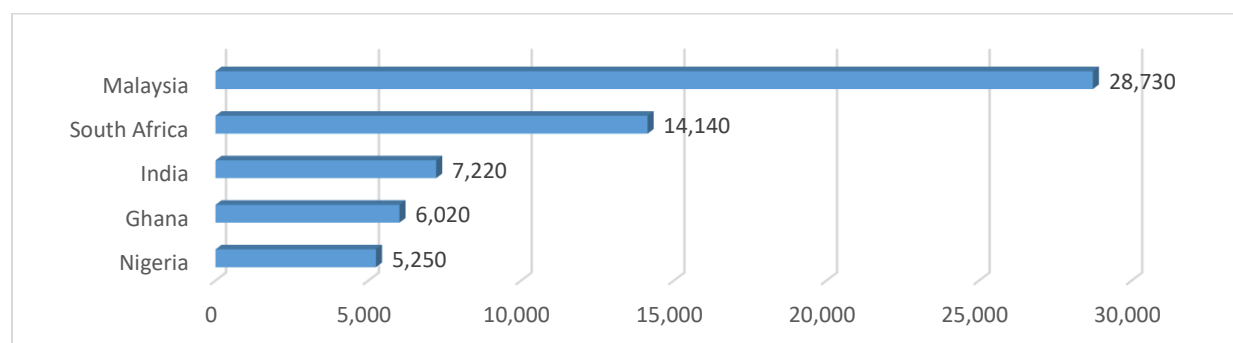
Table1: Nigeria's HDI trends based on consistent time series data and new goalposts

	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI Per capita [2017 PPP\$]	HDI VALUE
1990	45.9	6.7	-	3,109	-
1995	45.9	7.2	-	2,776	-
2000	46.3	8.0	-	2,739	-
2005	48.3	9.0	5.2	3,675	0.465
2010	50.9	8.4	5.2	4,636	0.482
2015	53.1	9.7	6.2	5,356	0.526
2016	53.5	9.5	6.3	5,160	0.526
2017	54.0	9.7	6.4	5,032	0.531
2018	54.3	9.7	6.5	4,929	0.534
2019	54.7	10.0	6.7	4,910	0.539

Source: Human Development Report (2020)

Nigeria's GNI, the total amount of money earned by Nigerians and their businesses, stood at \$4,910 as of 2019 and increased to \$5,250 in 2021. In the same 2021, Ghana had a GNI value of \$6,020, India \$7,220, South Africa \$14,140 and Malaysia \$28,730 (see Figure 3).

Figure 3: Nigeria's GNI compared with some selected countries (2020)



Source: <https://databankfiles.worldbank.org/data/download/GNIPC.pdf>

Multidimensional Poverty Index (MPI)

Multidimensional Poverty Index (MPI) identifies multiple overlapping deprivations suffered by individuals in 3 dimensions, namely, health (child mortality, nutrition), education (years of schooling, enrolment), and living standards (water, sanitation, electricity, cooking fuel, floor, assets). It first identifies which of these ten deprivations each household experiences, then

identifies households as poor if they suffer deprivations across one-third or more of the weighted indicators. The indicators are weighted to create a deprivation score, and the deprivation scores are computed for each individual in the survey. A deprivation score of 33.3 per cent (one-third of the weighted indicators) is used to distinguish between the poor and the non-poor. If the deprivation score is 33.3 per cent or greater, the household (and everyone in it) is classified as multidimensionally poor. Individuals with a deprivation score greater than or equal to 20 per cent but less than 33.3 per cent are classified as vulnerable to multidimensional poverty. Finally, individuals with a deprivation score greater than or equal to 50 per cent live in severe multidimensional poverty (Table 2).

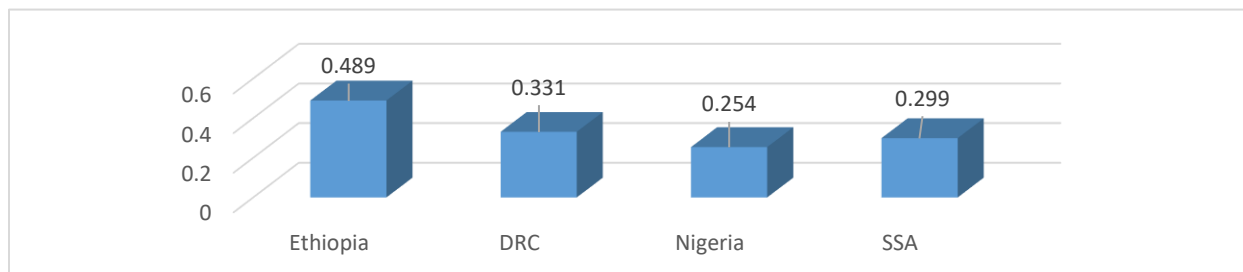
Table 2: MPI for Nigeria relative to selected countries

		Survey Year	MPI value	Headcount (%)	The intensity of deprivations (%)	Population share (%)			Contribution to overall poverty of deprivation in (%)		
						Vulnerable to multidimensional poverty	In severe multidimensional poverty	Below the income poverty line	Health	education	Standard of living
Nigeria		2018	0.254	46.4	54.8	19.2	26.8	53.5	30.9	28.2	40.9
DRC		2017/2018	0.331	64.5	51.3	17.4	36.8	76.6	23.1	19.9	57.0
Ethiopia		2016	0.489	83.5	58.5	8.9	61.5	30.8	19.7	29.4	50.8
Sub-Saharan Africa		-	0.299	55.0	54.3	17.9	32.9	45.7	22.4	29.3	48.4

Source: Human Development Report (2020)

In 2018, 46.4 per cent of Nigeria's population was considered multidimensionally poor, while an additional 19.2 per cent were classified as vulnerable to multidimensional poverty. The intensity of deprivation in Nigeria, the average deprivation score experienced by people in multidimensional poverty, was 54.8 per cent. The MPI, the share of the multidimensionally poor population, adjusted by the intensity of the deprivations, was 0.254, lower than that of Congo (Democratic Republic of Congo) and Ethiopia, which have MPIs of 0.331 and 0.489, respectively (HDR, 2020).

Figure 4: MPI value for Nigeria, Ethiopia, Democratic Republic of Congo and SSA (2018)



Source: HDR (2021)

One of the primary functions of a government is to enhance the welfare and protect the life and property of its citizens. In light of this fundamental mandate, the successive Nigerian government has made various efforts to address poverty. Since the country's independence, several national development plans have been rolled out. Core to these plans is the issue of addressing poverty, with several institutional initiatives and mechanisms introduced by successive governments, including Operation Feed the Nation (OFN)¹³ Free and Compulsory Primary Education (FCPE),¹⁴ Green Revolution,¹⁵ Low-Cost Housing¹⁶ River Basin Development Authorities (RBDA)¹⁷ Agricultural Development Programmes (ADP)¹⁸

¹³ Operation Feed the Nation was introduced by the federal military government headed by General Olusegun Obasanjo in 1979. It focused on increasing food production on the premise that the availability of cheap food would ensure a higher nutrition level and invariably lead to national growth and development.

¹⁴ One in every five of the world's out-of-school children is in Nigeria. Even though primary education is officially free and compulsory, about 10.5 million of the country's children aged 5-14 years are not in school. Available at <www.unicef.com> accessed on October 26, 2022.

¹⁵ Green Revolution (GR) was a programme inaugurated by Shehu Shagari in April 1980. The programme aimed to increase food and raw materials production to ensure food security and self-sufficiency in basic staples.

¹⁶ Affordable housing schemes in Nigeria have been proposed several times as a solution to the housing problem. In 1991, the government rolled out "Housing for All by the Year 2000 AD", which was supposed to ensure all Nigerians had decent, affordable housing by the turn of the millennium.

¹⁷ River Basin Development Authorities in Nigeria are government agencies involved in managing water resources for agriculture and other uses. Each authority operates in an assigned geo-morphological and political boundary and works to improve agriculture and rural development through irrigation, control of river pollution and assist farmers in processing food crops.

Agricultural Credit Guarantee Scheme (ACGS)¹⁹ Strategic Grains Reserves Program (SGRP)²⁰ and Rural Electrification Scheme (RES).²¹

Recently, the government has introduced several social welfare programmes to address the scourge of poverty. For instance, the current government created an institutional framework named the National Social Protection Policy in 2017 to address social investment policy gaps. According to the NDP (2021-2025), the Federal Government began budgeting N500 billion from 2016 for poverty reduction and social housing in 2016, with funds initially utilised to commence four social investment programmes under the Office of the Vice President. In 2021, the Federal government introduced the National Poverty Reduction and Growth Strategy to ensure better coordination of national efforts towards poverty reduction. The National Social Safety Net Programme (NASSP) is another government initiative to improve social inclusion by scaling up the National Social Investment. The World Bank supports this initiative to create a platform to manage social welfare programmes for poor and vulnerable households. Other initiatives include the National Conditional Cash Transfer Programme, the National Social Investment Programme (NSIP), the National Home Grown School Feeding Program, the Community & Social Development Program (CSDP), and the Government Enterprise and Empowerment Program (GEEP), among others. While the various efforts of the federal government to reverse poverty are indeed laudable and noteworthy, they have yet to be very successful, as the efforts have not been able to tame poverty, as depicted by the statistics above, effectively.

3. An Analysis of the Rate of Insecurity in Nigeria

3.1 *Boko Haram*

Boko Haram commenced as a local Islamic movement when a group of fundamental preachers infiltrated religious, social and political circles in North-eastern Nigeria. The group does not call itself *Boko Haram*; its preferred name is the *Jamaat-u-Ahlis- Sunna-Lidda-Awati Wal-Jihad* -

¹⁸ This is a policy-based intervention programme. It was designed in the early 60s by the Federal and state governments to accelerate the production of grains, that is, maize, rice, guinea corn, millet, wheat, cassava and cowpeas.

¹⁹ The ACSS is an initiative of the Federal Government and the Central Bank of Nigeria with the active support and participation of the Bankers Committee.

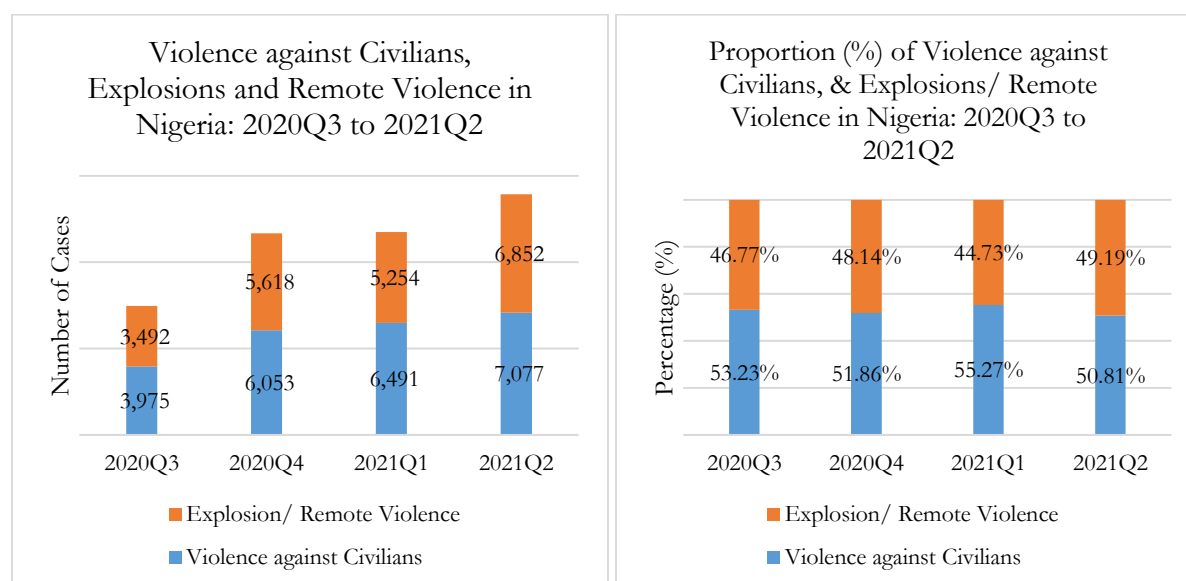
²⁰ The programme was designed to provide relief in times of national disasters, drought and war both locally and internationally, to provide a ready and accessible market for locally produced items through Buyers of Last Resort (BLR), to maintain price stability and ensure food security.

²¹ It is a private sector-driven nationwide initiative implemented by the country's Rural Electrification Agency (REA). The Project promotes electricity access for households, micro, small, and medium enterprises (MSMEs), and public education institutions.

"the organisation committed to the spread of the Prophet's teachings and jihad." Mohammad Yusuf, the founder of the group, was a preacher who rose to fame in the early 2000s in the town of Maiduguri, the capital of Borno State in Nigeria's North East region.²²

Boko Haram - literally to "Western education is forbidden" - has, since 2009, killed tens of thousands of people in Nigeria and displaced more than two million others. Borno State has borne the brunt of the violence in the insurgency; with nearly 30,000 deaths reported from July 2011 to date (these can be attributed to *Boko Haram*, state actors, or sectarian actors). Adamawa State is second, with nearly 4,000 deaths reported. Other Northern states follow.²³ In 2015, at the height of its influence and control of territory, *Boko Haram* - was ranked the world's deadliest terrorist group by the Global Terrorism Index, ahead of the Islamic State group (ISIS). Figure 5 captures violence against civilians, explosions and remote violence unleashed by *Boko Haram* in Nigeria.

Figure 5: Violence against Civilians, Explosions and Remote Violence in Nigeria



Source: Armed Conflict Location & Event Data (ACLED), 2021

²² Afzal (2020) From "Western Education Is Forbidden" To the World's Deadliest Terrorist Group.

²³ Augustine C. Osigwe, Terfa W. Abraham, and others Boko Haram, Banditry and Kidnapping Nexus: Impact on Nigeria's Security, International Journal of Humanities Social Science and Management (IJHSSM) Volume 3, Issue 2, Mar.-Apr. 2023, pp: 21-30 available at <www.ijhssm.org> accessed 2nd April 2023. See also John Campbell, "Nigeria Security Tracker," Council on Foreign Relations, <<https://www.cfr.org/nigeria/nigeria-security-tracker/>>p29483.

Three major narratives have been used to describe the existence of *Boko Haram*, namely:

- i. The "lack of education" narrative: This narrative holds the view that the lack of education explains terrorism and the rise of *Boko Haram*;
- ii. The *al-majiri* narrative: This narrative explains the existence of *Boko Haram* as *al-majiris* - children educated in Islamic seminaries (some analysts say there are more than 10 million such children in Northern Nigeria) – who serve as *Boko Haram* recruits;
- iii. The "tearing up certificates" narrative: This narrative is hinged on the view that University students in the North-eastern part, especially Borno and Yobe States, after listening to Mohammad Yusuf's sermons in which he railed against Nigerian institutions, tore up their certificates, saying their education was useless as it did not help them get jobs and joined the movement. This "tearing up certificates" narrative posits that the educated joined *Boko Haram* and contradicts the lack of education and *al-majiri* narratives about the dominant source of recruits for the group. The notion that the unemployed join *Boko Haram* fits all three narratives, though those who postulated it most often linked it to the *al-majiri* or lack of education.

3.2 Banditry Violence/Kidnapping

Banditry violence is a significant concern and insecurity which has affected many all over the country, especially in Zamfara, Kaduna, Niger, Sokoto, Kebbi and Katsina States. About 21 million people living in these States have been affected. In addition, the violence has affected about 35 out of 92 local government areas in the 4 States.²⁴ Banditry and kidnapping for ransom on a commercial scale became rampant, spreading across all 36 States. It began in 2011 as a farmer/herder conflict and then increased from 2017 to 2018 to include cattle rustling, kidnapping for ransom, sexual violence and killings. Many armed bandits are allegedly Fulani who have joined gangs involved in cross-border armed robbery and cattle-rustling in Nigeria, Niger, Chad, Cameroon, Senegal and Mali.²⁵ Some Fulani who joined the gangs has lost their cattle and resorted to highway robbery and cattle rustling to survive.²⁶ Thousands of Nigerians, irrespective of their social class or economic status, have fallen victim to kidnappers paying

²⁴ ACAPS Nigeria > Nigeria Northwest Banditry, available at <<https://www.acaps.org/country/nigeria/crisis/northwest-banditry>> accessed on October 26 2022. See also Augustine C. Osigwe, Terfa W. Abraham, and others (n23).

²⁵ UNHCR Bandit attacks displace northern Nigeria herders – Refworld, <<https://www.refworld.org/docid/51c95bd04.html>> accessed on October 26 2022.

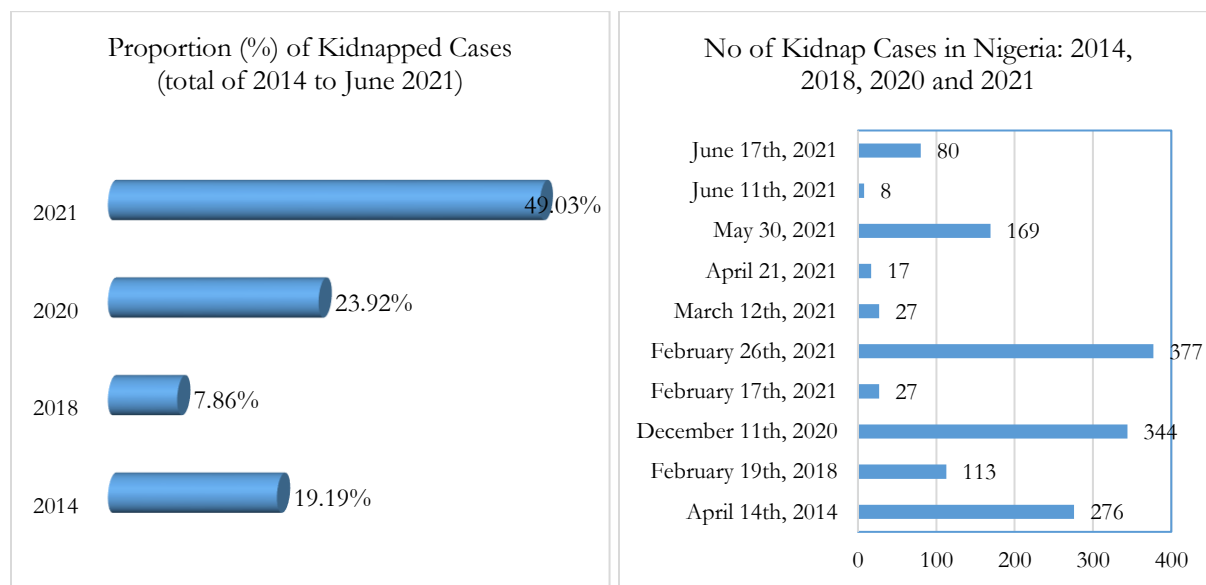
²⁶ Ibid.

millions of Naira as a ransom for their freedom. In the North-western States of Zamfara, Katsina and Kaduna, hundreds of people, including women and children, have been abducted and others killed by bandits.

The crime of kidnapping in Nigeria was rampant around the Niger Delta region and mainly amongst the oil-producing communities until 2006. However, the rise in attacks by Boko haram terrorists and other armed bandits, including activities of pirates around the Gulf of Guinea, led to the spread of the criminality of kidnapping cases across the country. There were 1,044 terror attacks by *Boko Haram* in the North-East region between 2009-2016, with diverse methods of attack (see Nigerian Security Tracker).²⁷ These included bombing and explosions; armed attacks; midnight/terror attacks; assassination/murder, mass murder/suicide raids and abductions. Further, many criminal activities exist, such as abductions and kidnapping for ransom and piracy in the Niger Delta region, land grabbing in the South-West region, human trafficking, armed robbery, and assassinations, amongst others. Terrorism threatens national peace and security and weakens the fundamental essence of governance. Figure 6 and Table 3 reveal that the proportion of cases of persons kidnapped between January and June 2021 accounted for almost 50% of all the kidnapping cases recorded in Nigeria from 2014 to 2021. Whereas the earlier days of Boko Haram witnessed the abduction of persons to bring themselves to the point of recognition and to receive national and global attention, its alliance with bandits have been characterised by hostage-taking for ransom.

²⁷ UNDP (2018). National Human Development Report 2018.

Figure 6: Proportion (%) of Kidnapped Cases



Source: Premium Times, 2021

Source: Premium Times, 2021

Table 3: Major Cases of Kidnap in Nigeria in 2014, 2018, 2020 and 2021

Date	Description	No of cases
April 14, 2014	276 students at government girls secondary, Chibok, Borno State	276
February 19, 2018	113 school girls at government girls secondary and technical college, Dapchi, Yobe state	113
December 11, 2020	344 schoolboys at government science secondary school, Kankara, katsina state	344
February 17, 2021	27 students at Government Science College, Kagara, Niger state	27
February 26, 2021	377 students at Government girls secondary school, Jengebe, Zamfara state	377
March 12, 2021	27 students at Federal college of forestry mechanisation, Afaka, Kaduna state	27
April 21, 2021	17 students at Greenfield university, Kaduna state	17
May 30, 2021	169 pupils at Salihu Tanko Islamic School, Regina, Niger state	169
June 11, 2021	Eight students at Nuhu Bamali Polytechnic, Zaria, Kaduna	8

	state	
June 17, 2021	80 students at Federal Government College Birnin Yauri, Kebbi State	80

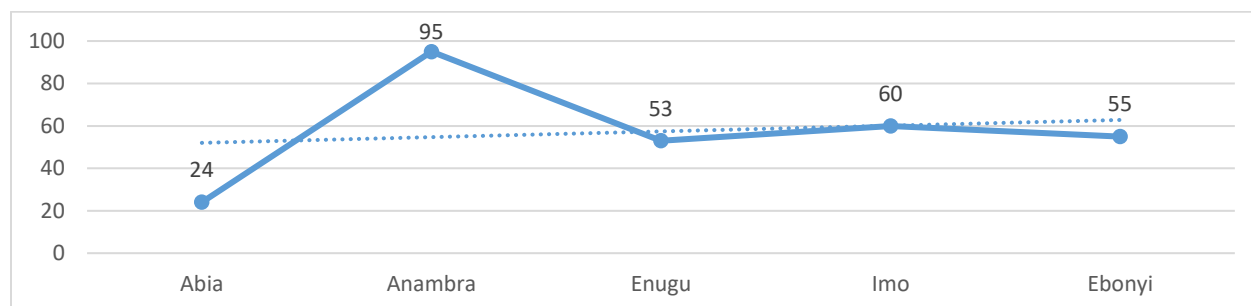
Source: Premium Times, June 22 2021²⁸

3.3 Unknown Gunmen

The activities of unknown gunmen, mainly in the South-East geo-political zones, have become a source of great worry to people of the zone, particularly Nigeria in General. Unknown gunmen became a phenomenon in the zone after the EndSARS protests in 2020. Two basic narratives have been put forward to explain the emergence of unknown gunmen. The first narrative alleges that the region's young men, through the Eastern Security Network (ESN) of IPOB, have turned their land into a lawless centre of violence. Those pushing the narrative say the elders and elite of Igboland are complicit as they have allegedly failed to speak up against the unknown perpetrators. The second version sees it differently and leans on the conspiracy theory of a false flag operation. "A false flag operation is an act committed to disguise the source of responsibility and pinning the blame on another party. The term is popular amongst conspiracy theory promoters in referring to covert operations of various governments and cabals.²⁹

Data from the Council on Foreign Relations' Nigeria Security Tracker (NST) indicates that 287 insecurity-related deaths occurred in the South-East from January to May 2022 (see Figure 7).

Figure 7: Insecurity-related deaths in the South East (January to May 2022)



Source: <<https://www.icirnigeria.org/insecurity-287-people-killed-in-southeast-in-5-months/>>

²⁸ Nigeria - Global Coalition to Protect Education from Attack available at <<https://www.premiumtimesng.com/news/top-news/469110-timeline-seven-years-after-chibok-mass-kidnapping-of-students-becoming-norm-in-nigeria.html>> accessed on October 26 2022. See also Augustine C. Osiowe, Terfa W. Abraham, and others (n23).

²⁹ Thursday Online Newspaper, Ndigbo and the bugaboo of Unknown Gunmen, available at <<https://www.thisdaylive.com/index.php/2021/05/16/ndigbo-and-the-bugaboo-of-unknown-gunmen/>> accessed on October 26 2022.

Ali (2013)³⁰ noted that the security measures taken against crime so far by both the government and private establishments include; the installation of metal fences, push buttons, lock-lever, handle-locks, electronic recording systems, fence detection sensors, central station systems, surveillance systems, video by satellite, guard shelters and above all the numerical strength of the military and paramilitary have been increased in the quest to provide adequate security to the citizenry. Several security forces have been established in the country. They include; The Nigerian Armed Forces, the State Security Service (SSS), Defence Intelligence Service (DIS) and the National Intelligence Agency (NIA), Nigeria Police Force, Nigeria Correctional Service, Nigeria Customs Service, Nigeria Security and Civil Defence Corps, Nigeria Immigration Service, National Drug Law enforcement Agency, Federal Road Safety Corps, Federal Fire Service, among others. The effectiveness of the various measures remains to be determined. However, the recent onslaught by the various security agencies to contain a threat to national security is commendable.

4. Major Causes of Insecurity in Nigeria

There are different views expressed on the causes of insecurity in Nigeria. Some of them include the following:

4.1 Unemployment/Poverty

The high rate of unemployment and poverty, especially among the youth, is a significant factor of insecurity in the country. Moreover, idle youths are powerfully predisposed to violent crimes, undermining the nation's security system.³¹ Lagos, its foremost commercial centre and former capital, has given rise to what is known as "the area boy" phenomenon. These are loosely organised gangs of street children and teenagers, composed mainly of males who roam the street of the state; they extort money from passers-by, sell illegal drugs, act as informal security guards and perform other odd jobs.³² All these are happening because they are not employed.

4.2 Religious and Ethnic Conflicts

³⁰ Ali A. D (2013) Security and Economic Development In Nigeria Since 1960, Kuwait Chapter of Arabian Journal of Business and Management Review Vol. 2, No.6. See also Augustine C. Osigwe, Terfa W. Abraham, and others (n23).

³¹ Ijeoma BRIGID Ochi and Kingsley Chinonso Mark, 'Effect of the Endsars Protest on the Nigerian Economy' Global Journal of Arts, Humanities and Social Sciences 2021 pp.1-15.

³² Benson O. Omoleye and Alfred O. Filani 'Law, Security and Development in Nigeria - A Legal Perspective' (n25).

Religion plays a critical role in Nigerian society, and it is a potent force in the geo-political development of the country.³³ It is a force which has been used to unite Nigeria and has also been used to divide the country.³⁴ Ethno-religious crises are notorious as the primary cause of violent crises in Nigeria.³⁵ Most crises occur in the middle belt and along the culturally divided borderline states of the predominantly Muslim North. Also, they occur between Hausa-Fulani groups and the non-Muslim ethnic groups in the southern part of Nigeria's political landscape causing political instability.³⁶

Communal conflicts have also occurred between Hausa/Fulani and Yoruba in the southwest, particularly in Ile-Ife, Osun State. Between 1999 and 2013, more than 11,000 deaths occurred due to more than a hundred incidents of communal violence. Ethnic violence has been witnessed in almost all regions of the country. The level of insecurity arising from ethno-religious crises in the post-military era is considerably higher than that experienced during the three decades of military rule that ended in 1999.³⁷

4.3 Ineffective Security System

Most of the security apparatus in Nigeria appears to be weak, dysfunctional and ineffective. There is a poor intelligence gathering and sharing chain, coordination, and rivalry between security institutions.³⁸ The personnel often deployed to handle a given security assignment lack the requisite expertise and are ill-equipped.³⁹ It is submitted that some personnel get influenced by ethnic, religious and commercial sentiments, unable to separate their interests from that of the nation. As a result, they often abandon national interests and values and pursue their parochial concerns, thereby sabotaging government efforts and fuelling insecurity by either leaking vital security information or aiding and abetting criminal activities.

4.4 Porous Borders

³³ Hamilton Odunze's 'Muslim-Muslim ticket: The shortest distance between Nigeria and Islamic Caliphate' is available at <<https://www.vanguardngr.com/2022/08/muslim-muslim-ticket-the-shortest-distance-between-nigeria-and-islamic-caliphate>> accessed October 4 2022. See also Cleric, Aiyedogbon Christian-Christian ticket would have set Nigeria on fire, available at <https://punchng.com/christian-christian-ticket-would-have-set-nigeria-on-fire-cleric-aiyedogbon> accessed October 4 2022.

³⁴ Ibid.

³⁵ B. Salawu, Ethno-Religious Conflicts in Nigeria: Causal Analysis and Proposals for New Management Strategies, European Journal of Social Sciences 2010.

³⁶ Hallum C & Adedoyin O (2016), Ethnic and Religious Crises in Nigeria, www.accord.org.za., African Journal of Contemporary Research, 2016, vol. 1.

³⁷ Ibid.

³⁸ Oluwafemi David Bodunde, et al., Intelligence Sharing: The Challenges Among The Nigerian Security Agencies And Government. Global Scientific Journals 7, 2019.

³⁹ Ibid. See also Augustine C. Osigwe, Terfa W. Abraham, and others (n23).

The porosity of the Nigerian borders has aided the uncontrolled influx of foreigners, mainly young men, from neighbouring countries such as the Republics of Niger, Chad, and the Republic of Benin, which has been responsible for some of the criminal acts in the country.⁴⁰ The country's frontiers are primarily untracked, thus making free movements of people, mainly criminals, into the country completely uninhibited. It is a phenomenon that has always been a grave threat to national security.

4.5 Endemic Corruption

Corruption has often been identified as one of Nigeria's severe threats to national security. Several writers and public commentators have alluded to this at several fora. Some have argued that "No society can achieve its full potential if it allows corruption to become full-blown cancer as it has in Nigeria".⁴¹ It is submitted that corruption in Nigeria is systemic and political corruption is cancer militating against Nigeria's development. Some of the fundamental factors that engender corrupt practices in less developed nations, including Nigeria, are Great inequality in the distribution of wealth; Political office as the primary means of gaining access to wealth; the conflict between changing moral codes; the weakness of social and governmental enforcement; and the absence of a strong sense of national community.⁴²

5. The Role of Law in Promoting National Security and Development

In order to address the menace of corruption in Nigeria, the following are some legislation enacted to fight the endemic corruption: The Economic and Financial Crimes Act of 2004; Money Laundering Act of 2022; Code of Conduct Tribunal Act of 1991; Advanced Fee Fraud and Other Related Offences Act of 2006; Independent Corrupt Practices and Other Related Offences Act No 5 of 2000; the Criminal Code of Southern Nigeria; and the Penal Code of Northern Nigeria. The challenges in fighting corruption appear not because of an inefficient legal framework but the political will to implement the legislation.

It is apt to consider how the law could function to promote national security and enhance poverty eradication and overall national development. The significant factors of insecurity in Nigeria

⁴⁰ Tunde Ajaja, Porous borders: Nigeria's endless security dilemma, available at <https://punchng.com/porous-borders-nigerias-endless-security-dilemma> accessed October 4 2022. President Muhammadu Buhari recently attributed the rising incidents of violent criminal activities in the country to the infiltration into Nigeria, Libya-Gadafi trained fighters through the porous borders. See also Augustine C. Osigwe, Terfa W. Abraham, and others (n23).

⁴¹ Inauguration speech of Olusegun Obasanjo as the President of the Federal Republic of Nigeria at Eagle Square, Abuja, on October 29 1999.

⁴² UNODC Gender and Corruption in Nigeria December 2020.

result from the lopsided political structure.⁴³ Some parts of Nigerians feel marginalised and oppressed. The complaint is that the political economy is skewed in favour of a particular region and puts the rest of the country at a disadvantage.⁴⁴ There is alleged inequity and unfairness in distributing the nation's wealth and access to other opportunities. It is observed that crimes such as vandalism of oil pipelines, kidnapping for ransom, ethno-religious conflicts, corruption and a host of others are manifestations of frustrations and general disenchantment with the pattern and structure of the Country's federation.

Over the years, the National Assembly has put in place several measures to address the scourges of poverty and insecurity in Nigeria. Table 4 presents some legislative efforts in recent times.

Table 4: Legislative Efforts on Insecurity and Poverty Alleviation in Nigeria

S/NO	INSECURITY	POVERTY
1	The National Commission Against the Proliferation of Small Arms and Light Weapons (Establishment) Bill, 2022. ⁴⁵	The National Poverty Alleviation Management Commission Bill 2016. ⁴⁶
2	The National Commission Against the Proliferation of Small Arms and Light Weapons (Establishment) Bill, 2022. ⁴⁷	Patent and Design Act 2021. ⁴⁸
3	The Nigeria Financial Intelligence Unit Act ⁴⁹	The Social Welfare Service Bill, 2022. ⁵⁰
4	The National Centre for the Coordination and Control of the Proliferation of Small Arms and Light	National Poverty Eradication Bill 2015. ⁵²

⁴³ Benson O. Omoleye and Alfred O. Filani 'Law, Security and Development in Nigeria - A Legal Perspective' (n25).

⁴⁴ Ibid.

⁴⁵ SB. 283.

⁴⁶ SB 23.

⁴⁷ SB 313

⁴⁸ HB 1304.

⁴⁹ It was passed into law in 2018. The Nigerian Financial Intelligence Unit (NFIU) is the central national agency responsible for receiving disclosures from reporting organisations, analysing these disclosures and producing intelligence for dissemination to competent authorities. The NFIU is an autonomous unit domiciled within the Central Bank of Nigeria and the central coordinating body for the country's Anti-Money Laundering, Counter-Terrorist Financing and Counter-Proliferation Financing (AML/CFT/CPF) framework, available at <<https://www.nfiu.gov.ng/Home/LawsRegulations>> accessed on October 5 2022.

⁵⁰ SB 984.

	Weapons (Establishment, etc.) Bill, 2021. ⁵¹	
5	Armed forces (disciplinary proceedings) (special provisions) Act. ⁵³	National Directorate of Employment Act. ⁵⁴
6	Armed Forces Act. ⁵⁵	Small and Medium Scale Industries Development Agency (Establishment) Act of 2003.
7	Criminal code Act. ⁵⁶	Nigerian Bank For Commerce and Industry Act of 1973.
8	Nigerian Hunters Council and Forest Security Bill 2022. ⁵⁷	Nigerian Export-Import Bank Act. ⁵⁸
9	National Security Agencies (NSA) Act. ⁵⁹	Nigerian Industrial Development Bank (Guarantee) Act. ⁶⁰
10	National Security and Civil Defence Corps (NSCDC) Act of 2007.	
11	Police Act of 2022	
12	Peace Corps Bill 2022. ⁶¹	
13	Economic and Financial Crimes Commission (Establishment, etc.) Act. ⁶²	
14	Corrupt Practices and Related Offences	

⁵² SB 23.

⁵¹ SB. 794) [Executive bill] The Senate has passed for Third Reading of the National Commission for the Coordination and Control of the Proliferation of Small Arms and Light Weapons Bill, 2022. The Senate passed the bill at its plenary on July 26 2022. This would be the first time the bill has passed in either house of the National Assembly since it was first introduced in the 7th National Assembly. The bill is the product of the consolidation of three bills on the subject passed by the Senate for Second Reading at different times. Available at <<https://placng.org/Legist/senate-passes-bill-for-establishment-of-a-national-commission-for-coordination-and-control-of-small-arms-and-light-weapons>> accessed o October 5 2022.

⁵³ Cap A19 Laws of the Federation of Nigeria 2004.

⁵⁴ Cap. N28 Laws of the Federation of Nigeria, 2004.

⁵⁵ Cap A20 Laws of the Federation of Nigeria 2004.

⁵⁶ Cap C38 Laws of the Federation of Nigeria 2004.

⁵⁷ SB 477.

⁵⁸ Cap N06 Laws of the Federation of Nigeria 2004.

⁵⁹ Cap N 74 Laws of the Federation of Nigeria 2004.

⁶⁰ Cap N111 Laws of the Federation of Nigeria 2004.

⁶¹ SBS 271 and 375.

⁶² Act of 2004.

	Commission (ICPC) Act. ⁶³	
15	Customs & Excise Management (CEMA) Act. ⁶⁴	
16	Nigerian Immigration Service Act of 2015.	

Source: Compiled by the authors

Despite these legislative efforts, insecurity and poverty remain worrisome issues to Nigerians. The menace of the duo is not to be treated with levity.

6. Conclusion and Recommendations

The correlation between law, poverty and security in Nigeria is axiomatic. Law is a veritable instrument for achieving adequate national security and enhancing national development through poverty eradication mechanisms. Even though the paper revealed an alarming situation regarding insecurity and poverty in Nigeria, it holds the view that all hope is not lost. A strong case is made in the paper to review the existing legal frameworks relating to insecurity and poverty in the country. It is submitted that the review would be a potent move towards ameliorating the worrisome trends portrayed in the paper. At all levels, the National Assembly and, indeed, the governments would not be found missing in the efforts towards finding a lasting remedy to insecurity and poverty in Nigeria.

Consequently, the paper recommends as follows:

- i. Review the Constitution of the Federal Republic of Nigeria 1999 as altered to provide a framework that may accommodate the needs of some Nigerians that feel marginalised by the current political arrangements. Specifically, section 8 of the CFRN provides for boundary adjustment and state creation to provide a flexible and equitable way of creating a new state.
- ii. Because of the prevalence of the attitude of the government towards implementing the social, cultural and economic rights as enshrined under chapter two of the Constitution, there is a need for the National and State Houses of Assembly to alter the CFRN and merge chapter two with chapter four, thereby making these rights part of fundamental human rights and enforceable.

⁶³ Cap C5 Laws of Federation of Nigeria 2004.

⁶⁴ Cap C84 Laws of the Federation of Nigeria 2004.

- iii. The paper observed with serious concern that the current security architecture of Nigeria may not be able to provide essential security services to Nigerians. Consequently, there is the need to alter the CFRN and transfer security matters from the exclusive legislative list to the concurrent legislative, thereby empowering states to legislate on security matters.
- iv. In order to reduce the high cost of governance in Nigeria and create more funds for infrastructural developments, create jobs and reduce poverty, there is a need to amend section 147 of the Constitution to reduce the number of the Ministers of the Federal Republic of Nigeria and to alter chapter five of the same Constitution to abolish bicameral legislature and adopt unicameral legislature, and review the tenure of offices of the elected office holders to single term of 6 years and no more.
- v. The National Directorate of Employment was established in 1989 with the responsibility of designing and implementing programmes to combat unemployment. Since then, there have been emerging business innovations that were not contemplated under the current framework, hence the need to amend section 2 of the Act to insert a provision to accommodate new vistas of modern self-employment to mitigate the growth of unemployment in Nigeria.
- vi. Review the Armed Forces Act; Police Act; National Security Agencies (NSA) Act; National Security and Civil Defence Corps (NSCDC) Act; Economic and Financial Crimes Commission (EFCC) Act; Independent Corrupt Practices and Related Offences Commission (ICPC) Act; Customs & Excise Management (CEMA) Act; Nigerian Immigration Service Act, amongst others, to insert new provisions that would enhance good intelligence gathering and sharing between all the security agencies that are responsible for enforcing law and order.