

## **FIGHTING THE ENEMY WITHIN: AN EVALUATION OF THE ROLE OF THE NIGERIAN CRIMINAL JUSTICE ADMINISTRATION ON TERRORISM**

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**ABSTRACT:** *The act of Terrorism dates as far back as the 1st century. It is a global concern that keeps evolving. In Nigeria, the threat of terrorism has been on the rise and is more prevalent in the North East, despite the many laws against it. This leads to a feeling of insecurity and fear, for many Nigerians. This study assesses the role of the Nigerian Criminal Justice Administration in ensuring safety for all, which includes fighting terrorism. The article critically explores Nigerian government's reliance on mainly military actions, as opposed to empowering the Criminal Justice Administration. The work underlines the consequences of not appropriately fighting terrorism, and it's effects on a nation like Nigeria. The study uses secondary data analysis, and the doctrinal approach is adopted to examine the role of the Nigerian Criminal Justice Administration in fighting terrorism. This article finds that the weak nature of the Nigerian criminal justice administration has affected the ability to make effective counter-terrorism policies. The study recommends that the Nigerian Government needs to enhance the operational and legal frameworks at all levels, and strengthen the criminal justice structure, to appropriately fight terrorism.*

**KEYWORDS:** terrorism, administration, counter-terrorism, insurgency criminal justice.

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## **INTRODUCTION**

The act of terrorism is a complex one which is remembered and remains the subject of discussion long after its occurrence. It is an ever evolving global phenomenon. A classic example of how huge of a concern it is is the September 11 attack popularly known as the 9/11 on the World Trade Centre in the United States of America. The incident significantly shaped the view of academics, security experts, government and the world at large, on the menace of terrorism. This led to the making of strict anti-terrorism laws by many countries in the world in order to counter terrorist finance (Walker, C., King, C. & Gurule J, 2018). Although the reaction of many countries was influenced by the 9/11, no country has ever been without some form of terrorism or the other. In Nigeria, the Boko Haram attacks, incessant kidnapping and Niger Delta militants, is a proof of it. Causes of these terrorist attacks have been attributed to the factors of religion, governance and socio-economic issues (Ajala, 2018).

Terrorism has been experienced by all nations of the world and no nation is absolved from the aftermaths of terrorism on other nations (Alao, Aterem and Alao, 2012). It is a global concern for the governments and citizens of various nations in the world. Terrorist vices and acts have been in existence for many decades, however, the increased used of expensive and powerful weapons and the probability of there being a larger casualty in such event have culminated into the need for

scholars to examine and analyse the reason and causes of terrorism and the steps to be taken to prevent its occurrence (Isabelle, 2004). Terrorism has highly risen in the world, it is a threat to the peace of the whole globe and it threatens the stability of all, hence, this has led the global village in order to fight off terrorism, to agree that all nations should ensure an efficient counter terrorism in all kinds, and to ensure that the terrorists are brought to justice.

The act of terrorism is an hideous one which is responsible for numerous physical and structural violence that has occurred to a large number of people in Nigeria (Udama, 2013). Over the last decade, terrorism has become a serious menace affecting Nigeria. The modern day Nigerian society has been plagued with many acts of terrorism. Examples of these terrorist acts are: violent attacks by the boko haram; kidnappings by the Niger Delta militants. These terrorist activities have caused a lot of lives to be lost, and properties to be destroyed. The acts of the Niger Delta militants and the Boko Haram call for proactive counter terrorism measures by Nigeria. The recent terrorist attacks which have occurred have brought to the fore front, core issues of national security in the country's foreign policy with neighbouring countries (Ate, 2011). The need for measures to prevent terrorism can thus not be over emphasized as terrorism has led to the death of many innocent citizens, including the killing of Army and Police officials.

Since 2012, the situation in regards to security in Nigeria seems to have worsened, and the government stated that the Nigerian security forces stopped more than 200 rocket launchers and rocket enabled grenades from terrorists groups at the Niger republic and Chad borders in Nigeria, in June 2012. Various security forces in Nigeria are of the belief that the weapons used by terrorists in Nigeria, especially the Boko Haram, are supplied by the terrorist groups in Iran, Syria and Yemen, and the Al-Qaeda in the Islamic Maghreb (Ogunseye, 2012).

As earlier stated, terrorism in Nigeria can be said to be influenced by factors of Religion, Socio-economic issues, and governance and the effect of these factors are acknowledged as contributing to the rise of the menace. It is however apparent that prior to the incessant attacks, Nigeria had no efficient anti-terrorism law or counter terrorism measures, and this can also be blamed for the failure to quickly prevent and curb terrorism, which led to the loss of lives and properties. Also, the Criminal Justice Administration has not been adequately used as an instrument for preventing and fighting terrorism in Nigeria. Thus, although the sociological factors are acknowledged, this paper analyses the role of Law and efficient counter-terrorism measures in fighting and preventing terrorism in Nigeria. The study argues that there is a need to reevaluate the part of Law in fighting terrorism in Nigeria.

### **The Concept of Terrorism**

The term terrorism from an etymological concept was derived from the Latin and French words: *terrere*, and *terrorisme*, and they respectively mean "to frighten," and "state rule by terror". There is no one generally used definition of terrorism as it is viewed by various scholars in different ways (Kent, 2007). The Oxford English Dictionary still defines terrorism as Government by intimidation carried out by the party in power in France between 1789-1794.

What is apparent is that the term terrorism was used as successors to terms like anarchy and communism. Definitions which do not acknowledge or give any reasonable cause for terrorism are not sufficient definitions because over time history has shown that, there have been examples of groups and their leaders who were branded as terrorists and later became respected governments

(Majekodunmi, 2015). The old slogan which states that “a terrorist to one state is another state’s freedom fighter” also gives credence to this fact. The existence of this slogan has led to a difficulty in having a universally recognized definition of what terrorism is. The slogan is confusing as it looks to evaluate and assess the validity of the cause when an act of terrorism occurs. However, there can be an acceptable and beautiful cause, but if such a cause leads to or causes a terrorist act, then it is terrorism regardless (Ibid). At present, there is no one universal definition of terrorism, however, various scholars have made attempts to define what terrorism entails. Thus, Garrison (2004) describes terrorism as “terrorism both as practiced and justified by terrorist themselves, is a tool used to achieve a specific outcome by using force or violence on one segment of society with the primary goal of causing fear in the larger society to make change in that society.” According to a well-known scholar of terrorism, Walter Laquer (1979), an all-encompassing definition of terrorism does not exist. However, “terrorism can be explained as the use, or threat, of violence by an individual or a group, whether acting in opposition to established authority, when such action is designed to create extreme anxiety or fear including effects in a target group larger than immediate victims with the purpose of coercing that group into acceding to the political or religious demands of the perpetrators” (Wardlaw (1982). The main element in the definition is the existence of violent conducts aimed at causing an atmosphere of danger and fear for the purpose of fulfilling an interest.

Stepanova (2008) is of the view that, “terrorism is the form of violence that most closely integrates one-sided violence against civilians with asymmetrical violent confrontation against a stronger opponent, be it a state or a group of states.” Jenkins (1985) also shares the same view and defines terrorism as “the use or threatened use of force designed to bring about political changes.” According to Adeyemo (2012) terrorism can be compared to a situation of genocide and so he defines it as “the deliberate and systematic destruction in whole or in part, of an ethnic, racial, religious or national group.” Also, Laqueur (1979) views terrorism as “the illegitimate use of force to achieve a political objective when innocent people are targeted.” Okeke (2005) and Nacos (2006) argues that some specific characteristics of terrorism includes that it is driven and by objectives or motives, and most times than not, those motives are political although the attackers may be influenced or fashion their acts after their religious beliefs. The authors further argued that “though the connection between religion and politics in the minds of the perpetrators may be blurred at first; the targets are largely civilians or non-combatants or members of certain religious or ethnic groups; actors are predominantly non-state actors but sometimes supported by state actors with interests to protect; and methodology is critically the use of violence such as shootings, suicide bombings, kidnappings and hostage taking in order to spread fear.” It is clear that some common attributes can be found in all the various definitions. The act of terrorism for one involves aggression against normal citizens. Such acts may be aimed at politicians, civilians, infrastructures, companies, institutions or government officials. It is different from a situation of War, as the purpose is not the defeat of enemy combatants (Schmid, 1988).

### **Terrorism in Nigeria**

Recently, there have been high rises in the use of advanced explosive devices by terrorists to carry out terrorist acts and violent crimes (Attoh, 2012). The menace of terrorism is not a recent happening in Nigeria, it is a predominant occurrence and it is carried out by those who have the legitimate or illegitimate power to embark on such acts. Terrorist acts occur at home, in private or

government offices, while on the road, and such acts are done by either individuals or government officials. Some terrorist acts do not get noticed and the victims end up enduring and suffering in silence without being able to react (Udama, 2013). According to Udama (2013) the fact that terrorists activities have been happening mostly in the Northern Nigeria of recent does not mean that it is only the Northern part that experiences terrorism. Terrorism have been done by different groups, individuals, at various locations and at different points in time. In some cases, some victims are the specific targets of the terrorist attacks while some others are collateral damage intended to draw attention. Terrorism, an act of inhumanity of man to fellow man, is a menace that is as old as mankind itself (Adora, 2010). Madunagu (2005) stated that “there is no state in the world where terrorism is absent, or new.” Thus, terrorism is a common, global phenomenon. In Africa, basically every nation in the continent has experienced some form of terrorism or the other, whether directly or indirectly. Oyeniyi (2010) while discussing terrorism in Africa stated that terrorism has had a long standing history in Africa. He explained it thus: “From the Sherifian dynasty of the Alawites and Filaliin Morocco to the Regencies of Algeria, Tunisia and Libya under the effecte Suzerainty of the Sultan of Turkey, the Berber-Arab population of North Africa experienced one form of terrorism after another, even before the colonial rule.” Also, the invasion of Algeria by the French in 1830, the commencement of French rule in Morocco in the period of the 1900’s, and their eventual occupation of Tunisia in 1880 were all carried out using a form of terrorist act or another (Asogwa et al, 2012).

In March 2010, a report was produced by the Bureau of Consular Affairs of the United States, and it revealed that five explosive devices (IEDs) were detonated in the Niger Delta area, and it led to about three casualties. Also, more than 150 of the boko haram members escaped from Borno and Bauchi prisons in September 2010, and most of them are now engaging in the boko haram attacks occurring in other states of the nation. Also, Borno and Bauchi state authority figures, government security officials and government officials were attacked by members of the Boko Haram sect in October. One of the casualties that have occurred as a result of terrorism in Nigeria is the car bombing that occurred in Eagle square, Abuja on October 1st 2010, which claimed the lives of 14 people and injured any others. There was also the incident of another car explosion on the eve of 2011 in Army Barracks, Abuja which resulted in the death of 4 people while about 10 people were injured (Attoh, 2012).

Recently, there have been various forms of terrorism occurring in Nigeria. These terrorist acts includes killing of people, targeting places of worship, commercial buildings, masts, infrastructures and government installations, bombings, and kidnapping. The perpetrators are non-state individuals, although sometimes, politicians and government personnel, which includes the security forces that ought to protect the people are participants also (Udama, 2013). Scholars have argued that the Nigerian environment and the governance practices contribute to the rapid emergence of terrorism in Nigeria. The terrorist groups perceive Nigeria as a country without regard for its citizenry as a result of the unjust, demeaning attitude of the government to the citizens of the country, as well as the lack of safety and security to all and sundry. This makes them justify the violent attacks as a way of drawing the attention of the government and also makes them believe that they can commit the violent attacks without being brought to justice. Many citizens of Nigeria are dissatisfied with the country and this causes disenchantment with the Nigerian state as a whole, as a result of the failure of the government to provide basic amenities for the citizens. Many believe that the Nigerian State policies only work to further the selfish interests of the people

in government. Most of the terrorist attacks, which includes bombing and killings were foreseeable and could have been avoided. When the act of terrorism is well studied, one would realise that the use of bombing as a method, shows resentment. It thus is a method and way of ensuring lawlessness and ensuring that the government does the will of the terrorists.

As opposed to kidnapping and armed robbery which are offences directed at human beings, and whose end result is the extraction of money and materials from people, bombing is usually an act directed at a state. It is caused by malice, vindictiveness, and spite, and it's aim is to cause damage and chaos (Ebun-Amu, 2010). A challenge faced by many countries today is the inability of the government to adequately, hastily and appropriately deter, fight, and respond to terrorist acts. Decades ago, terrorism was a phenomenon alien to the country, but in recent times, it has become one of the most rampant national security issue and has attracted lots of national discourse and attention.

### **Counter-terrorism in Nigeria and the Criminal Justice Administration**

Nigeria has adopted the use of both soft and hard approach in responding to the issue of terrorism in the nation. Before terrorism became a going concern in Nigeria, there were no anti-terrorism Laws. However, following the 2009 attack by the Boko Haram group, the government decided that the country needed Laws to counter terrorism. The first was the "Terrorism Prevention Act of 2011." The then President Goodluck Ebele Jonathan signed the Act into Law on the 3rd of June, 2011. There was an amendment to the legislation in 2013 and the Law was renamed "Terrorism (Prevention) (Amendment) Act, 2013." The main purpose of the Law is to prevent and criminalize the act of terrorism in Nigeria. The explanatory memorandum of the Act explains this by stating that: "This Act [which has been amended by the Terrorism Prevention) (Amendment) Act, 2013) provides for measures for the prevention, prohibition and combating of acts of terrorism, the financing of terrorism in Nigeria and for the effective implementation of the Convention on the Prevention and Combating of Terrorism and the Convention on the Suppression of the Financing of Terrorism. It also prescribes penalties for violating any of its provisions."

This excerpt shows that the purpose of the Act is not only to prohibit and prevent terrorism in Nigeria, but also to ensure that international conventions on the prevention of terrorism and the financing of same can be implemented as at when necessary. Persons found guilty of terrorism by a Court of competent jurisdiction in Nigeria are liable to punishments ranging from imprisonment, to the forfeiture of assets or funds gotten during the terrorist activities. The Law has the same attribute as any Law in Nigeria as it is enacted by the National Assembly, who are saddled with the duty of law making, and also carries the requisite sanction in the event that the Law is violated. However, despite the sanctions that come with terrorism, the Boko Haram seem not to be bothered.

In 2017, a report was published by the United States of America's Bureau of Counter-terrorism. The report stated that as at 2016, the Nigerian Criminal Justice Administration and the institutions related to it were not strengthened adequately to fight terrorism despite the efforts of developed nations like the United Kingdom in working to ensure that the Ministry of Justice in Nigeria adequately gives priority to the investigation and prosecution of terrorist acts (Bureau of Counter-terrorism, 2017). The result of the findings is important as it points to the fact that there is a need for the Judiciary to work together with the Nigerian Police Force since they both make up the



Nigerian Criminal Administration system. This is important especially with regards to the investigation and intelligence duty of the police force. Further, this will establish the trust of the members of the public in the Criminal Justice Administration and increase the possibility of revealing and bringing the Boko Haram terrorists to justice. Without this said trust, the chances will be limited, as shown in a number of empirical research conducted by scholars.

Elntib, Nass, Ioannou, Ryan and Christiansen (2018) conducted a study aimed at finding out the opinion of about 200 Nigerians on the willingness to cooperate and assist the Nigerian Police in fighting against the Boko Haram. The result of the study showed that there was a link between the willingness of the public to report any suspicious activities related to terrorism and the effectiveness and efficiency of the Police Force. The study also revealed that people from the Northern part of Nigeria, where the attacks have been most incessant, are less willing to report incidences related to terrorist attacks. This could be associated with several factors including fear. According to Ayodele and Aderinto (2014), Fear is one of the major reasons for refusal to report any suspicious activities or attacks, especially among females. Also, it could also be attributed to the limited trust of the members of the public in the effectiveness of the Nigerian Police Force. The low level of trust leads to a decreased willingness to assist the police in countering or investigating terrorist threats.

Also, in a study conducted by Shoyode (2018), a similar finding was arrived at. The aim of the study was to investigate the level of trust of the public in the Nigerian Police Force. The findings showed that there were always problematic issues whenever a person approaches the police for help, in cases where a person is a witness, the issue of reporting crimes, and cases of providing voluntary information to assist in solving crimes. Thus, the study revealed that to a great extent, this affects the level of trust given to the police by the public. Also, this problem is more associated with people from low socio-economic strata. Hence, there is an apparent need to strengthen the Criminal Justice Administration in Nigeria and this can be achieved through the collaboration and training of all the affected systems and the building of trust in the minds of the citizens of Nigeria.

### **The Role of the Criminal Justice Administration**

The Criminal Justice Administration of any country refers to the set down structure by which the Laws which guide the order, dealings and existence of a society is put into use, and the rights of the members of the society are enforced. The Criminal Justice System is known to be characterized by justice, effectiveness, equality, fairness and efficiency (Alemika, 2014; Alemika & Chukwuma, 2005; Gabba, 2005). These attributes are meant to ensure that there is equity, constitutionality, public safety and order, punishment for offence, proportionality, and integrity. Thus, Criminal Justice entails ensuring that a person is innocent or guilty, ascertaining that the proper process of the law is adhered to, and ensuring that the right sanction or compensation is administered. The Criminal Justice Administration is made up of different agents saddled with the duty of conducting investigation and prosecuting criminal matters and ascertaining the proper correction and rehabilitation process of any person found guilty of disobeying the laid down laws (Olonisakin, Ogunleye, Adebayo, 2017).

In Nigeria, the Criminal Justice Administration System is made up of three major parts: The Law enforcement Agencies which is mainly the Police; the Courts, the defence and prosecution lawyers; and the Agencies saddled with the responsibility of detaining and supervising criminals,

i.e., the prisons and the probation agencies. Each agency of the criminal justice system is saddled with its own responsibility, but basically, they all have a responsibility to ensure the order, safety and protection of all citizens and of the country as a whole. This duty also relates to ensuring that criminals and with reference to this paper, terrorists are apprehended, prosecuted, and made to face the wrath of the law.

The Nigerian Police Force as part of the Criminal Justice Administration is the institution saddled with the responsibility of detecting, investigating and the solving of crime, in order to ensure stability, peace and order in the nation. The Police is the agency referred to as the gatekeeper, within the Criminal Justice Administration because of their duty of putting criminal cases in motion (Alemika, 2014). The Nigerian Constitution stipulates that the Police are to initiate criminal case, ensure that they investigate, summon, arrest, detain and set the motion for the trial. Kumssa (2015) is of the opinion that if the effectiveness and value of this institution is weakened by police dishonesty, then how effectively will they be able to fulfill their role in countering terrorism.

The Court's role is to ensure that the due process is followed in the administration of justice. In Criminal cases, the Court establishes without an iota of doubt, the innocence or guilt of a person brought before the court, to ascertain that the appropriate and adequate punishment or compensation is enforced. An efficient judicial system will ascertain that justice is served in all cases brought to the court. The Nigerian court represents the Nigerian judiciary and they have a duty to ascertain that justice is dispensed effectively and adequately (Olamide, 2016). The Courts also interpret the Law, conduct judicial review, adjudicate on matters, settles disputes, and upholds the law. The social order becomes threatened if and when it is possible to go against the law and escape its wrath. The Nigerian Courts have been seen to embark on misdemeanour, corruption, intentional misinterpretation of the provisions of the law, unwarranted delay of proceedings, and violation of the citizen's right (Edosa&Fenemigho, 2014; Egbewole& Imam, 2015; Transparency International, n.d; United Nations Office on Drugs and Crime [UNODC], 2003). These vices allow for a poor dispensation of justice. The vices will thus not allow for proper efficiency in prosecuting and dispensing justice with regards to criminal activities, and terrorism.

In Nigeria and all over the world, a prison is a place where criminals are confined, either while awaiting trial, or for the purpose of serving punishment upon the pronouncement of guilt. Prisons are thus to serve the function of rehabilitation and reformation. The aim is for the convicted to become aware of their errors, the severeness of same, have a change of heart, gain skills and be ready to return back into the society upon the end of the sentence (Ndukwe&Nwuzo, 2014; Nigeria Prisons, n.d; Omagbemi&Odunewu, 2008). However, with regards to the issue of Terrorism, it is a crime which carries the Death penalty upon conviction. Thus, the problem as regards the prisons is it's efficiency in adequately holding terrorists without fear of escape. With regards to the physical structure, the prisons are in terrible states with dilapidated structures (Adams, 2015). The state of the Nigerian prison led to the statement by the Executive Secretary of the National Human Rights Commission [NHRC], Professor Ben Angwe, that: "the state of the Nigeria prisons today is a reflection of the state of criminal justice administration in the country". Also, Okoroafor (2015) expressed the view that almost all of the prisons in existence in Nigeria have become archaic and weak.

However, the issue that arises is the effectiveness of the Criminal Justice Administration in Nigeria, and whether they are truly well equipped to carry out their responsibility with regards to

fighting and countering terrorism, by effective investigation, prosecution and sanctioning of terrorists in Nigeria. As a result of the increased terrorism and lawlessness that occurs in Nigeria, and the recidivism that is attributed with the country, there is a need to evaluate the effectiveness of the Nigerian Criminal Justice Administration System and their role in fighting terrorism. The Criminal Justice System ought to ensure that the rights of all individuals are protected, and criminals and terrorists are prosecuted. However, it is unfortunate that the system itself has become characterized by injustice and ineptitude (Ibid).

According to Anaedozie (2016), “the management of social order in Nigeria polity poses serious challenges.” It seems that Nigeria has constantly been on the struggle to uphold the law in the midst of serious criminality, and unfortunately, the Criminal Justice Administration seems not to be well empowered to solve the various issues, among which security is high on the list. The system which also includes the Economic and Financial Crime Commission (EFCC), and the Federal Road Safety Commission (FRSC), are saddled with the duty of maintaining one aspect of the law or the other, but have become a part of the injustice and corruption. Many Nigerians share the view that the agents of the criminal justice system have not totally succeeded in upholding and enforcing the law, and the execution of their statutory duties (Anaedozie, 2016; Osasona, 2016). This has led the Nigerian Criminal Justice System to be scorned with statements such as being “the conveyor belt of injustice from beginning to end” (Amnesty International, 2008) and the slogan that “Justice is for sale to the highest bidder”.

Escaping from criminal liability has now become a popular occurrence in Nigeria. If this can be the order of the day with regards to many acts of criminality, then how much more serious acts like terrorism. The possibility of a system that cannot effectively investigate and prosecute simple criminal activities being able to investigate and prosecute such a dangerous and serious act as terrorism then becomes very slim. The aftermath is thus that if and when terrorists are caught up with, is our Criminal Justice Administration strong, well equipped, and secure enough to efficiently ensure that the terrorists are made to face the full wrath of the law.

Further, another important area in which the Nigerian Criminal Justice Administration have not succeeded is in the ability to create and maintain a reliable crime data (Van der Spuy & Röntsch, 2008). If such crime data statistics are available, it will help in identifying criminal activities patterns and trends, and in connecting the environmental and socio-economic triggers. Also, a database for every citizen and resident of Nigeria will enable the agencies to identify criminals and repeat offenders.

### **The Legal Framework**

The Major Laws in Nigeria which defines and provides for the act of terrorism are the Economic and Financial Crimes Commission (Establishment) Act, 2004, known as the ‘EFCC Act’, and the Terrorism (Prevention) (Amendment) Act 2013. Section 46 of the EFCC Act defines terrorism as: “(a) any act which is a violation of the Criminal Code or the Penal code and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or property, natural resources, environment or cultural heritage and is calculated or intended to – i. intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act or to abandon a particular standpoint, or to act according to certain



principles or ii. disrupt any public service, the delivery of any essential service to the public or to create a public emergency, or iii. create general insurrection in a state; (b) any promotion, sponsorship of, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organization or procurement of any person, with the intent to commit any act referred to in paragraph(a)(i), (ii) and (iii).”

From the foregoing, it is apparent that an act which goes against the laid down Laws in the Criminal Code and the Penal Code can amount to terrorism as long as it leads to serious injury or the death of an individual or a group of people, or, it results in damage to the environment, public property, cultural heritage, or natural resource. It is also an act of terrorism if it is aimed at intimidating, inciting fear, inducing or coercing a person or persons to carry out an act or omission, or to conceive or reject a specific viewpoint, or to create a disruption to a public activity, or cause a public emergency, or chaos and anarchy in a state. Thus, terrorism can involve harm to a person, or harm to properties or the general interest of the public.

The Terrorism (prevention) Act 2011, which was amended and is now the Terrorism (Prevention) (Amendment) Act 2013 is the major Act in Nigeria against terrorism. Section 1 subsection 1 of the Act prohibits any and all acts of terrorism. Also, Section 1 subsection 2 identifies, without defining, the conducts that make up acts of terrorism. The acts of terrorism according to the Terrorism (Prevention) (Amendment) Act 2013 are grouped into: (a) Acts aimed at forcing or coercing international organizations or the government to carry out an act or refuse to carry out an act. (b) Intimidation of an international group or of the government, whether local, state or federal. (c) The cause of death or serious injury to any person or persons. (d) The act of destroying or disruption of social and public facilities. (e) The act of kidnapping of a person or people. (f) And all other acts or omission which amounts to a crime under any counter terrorism convention or protocol adopted for use, and ratified by Nigeria.

Section 1(1) of the Act is to the effect that: “all acts of terrorism and financing of terrorism are hereby prohibited.” Further, Section 1 (2) of the act provides that, any individual or organization who intentionally whether in or outside Nigeria, willingly directly or indirectly:

- (a) does, attempts or threatens any act of terrorism, (b) commits an act preparatory to or in furtherance of an act of terrorism, (c) omits to do anything that is reasonably necessary to prevent an act of terrorism, (d) assists or facilitates the activities of persons engaged in an act of terrorism or is an accessory to any offence under this Act, (e) participates as an accomplice in or contributes to the commission of any act of terrorism or offences under this Act, (f) assists, facilitates, organizes or directs the activities of persons or organizations engaged in any act of terrorism, (g) is an accessory to any act of terrorism, or (h) incites, promises or induces any other person by any means whatsoever to commit any act of terrorism or any of the offences referred to in this Act, commits an offence under this Act and is liable on conviction to maximum of death sentence.

## Recommendations

Socio-economic issues when not properly dealt with can lead to terrorism. The author thus recommends that the Nigerian government and the concerned parties look into and address all the

political and social challenges faced by the common Nigerian. If this is solved, it will decrease the number of people, mostly youths, that are recruited to join the boko haram group. The author also recommends that a data base system which will contain all the information of Nigerian citizens and people living in Nigeria be made. If this is done, it will make tracking down members of the terrorist group more faster and done efficiently. Also, all of the Resolutions, Protocols and Conventions on terrorism are being complied with by Nigeria, however, the country lacks the will to implement and enforce the said laws. The author thus recommends that the Criminal Justice Administration and the Security forces in Nigeria be well equipped to play their role in ensuring peace and safety for all. The Armed Forces are the major groups that undertake the fighting of terrorism in Nigeria. A joint effort between the Armed Forces and the Criminal Justice Administration will ensure that terrorism is better curbed.

Also, the Nigerian government with the help of the International Community must ensure that good and effective policies are put in place in order to curb the recruiting efforts of terrorist groups. Political changes needs to be put in place to appropriately fight corruption and improve the human rights of all Nigerian citizens.

### **The Dire Need for Sophisticated Manpower and Ammunition**

So far so good, thousands of Nigerians have lost their lives in the fight against terrorism. Properties worth billions of naira have also gone down the drain as well while hundreds of thousands have been rendered homeless and displaced. At this juncture, the authors are asking a pertinent question which is; if truly terrorism has been defeated as claimed by the Nigerian government, why are both Civilians and Soldiers still losing their lives?

Recently, over sixty civilians were killed by a terrorist group in a single attack in the northeastern state of Bornu while the town of Jakana was completely evacuated of hundreds of residents for fear of a terrorist attack, (Aljazeera, 2019). Furthermore, four Nigerian soldiers lost their lives when they were ambushed by militants who opened fire on a military patrol in Mogula village in the east of Borno state, and two machine guns were seized. (Aljazeera, 2019). There are also reports of Nigerian soldier being ambushed and killed. These incidents prove and ascertain that the fight by the criminal justice system against terrorism lacks advanced weaponry as compared to what the insurgent showcases. In view of the foregoing, the Nigerian government need to budget more funds for security to purchase advance ammunition and weaponry specifically detailed to fight terrorism.

Some government policies and body movement of some officials tend to favour grant of amnesty to arrested militants despite the provisions of the Terrorism Act which made provisions for prosecution for apprehended terrorists. If this situation is allowed, militants will be increasing in number after all, “even when they are caught, they would not be prosecuted but given amnesty”. The authors opine that under no circumstances should militants be granted amnesty instead of being prosecuted as established by the provisions of the relevant laws.

### **CONCLUSION**

Terrorism is a menace that affects the whole world at large. Every Country no matter how peaceful has faced its own share of terrorist activities by terrorists. There are many factors that lead to

terrorism. These factors range from social reasons to economic, to political and to Religious reasons. Regardless of the reason, most terrorist activities are always related to politics and the need to draw the attention of the ruling government. Nigeria has had its own fair share of terrorist activities. These activities range from the boko haram insurgencies to the Niger delta militancy to numerous kidnapping occurring year in, year out. Although every state in Nigeria has experienced one sort of effect of terrorism or another, the Northern part of Nigeria have been the most affected as a result of the numerous boko haram attack.

In order to prevent, reduce and ultimately curb terrorism in Nigeria, the government need to adopt efficient and severe decisive actions, and ensure that Nigeria's peace, unity and development is put above all other selfish interests. Also, there is a need to ensure that the Criminal Justice Administration work together with the Armed Forces to play their respective roles in ensuring the safety and peace in Nigeria.

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### Book Chapter

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