

National Security Challenges and the Quest for True Federalism in Nigeria: The Issue of *Amotekun* (South-West Regional Security Network)

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ABSTRACT

Among the various challenges that the Nigerian State has had to contend with since its inception, incessant security challenges stand out. Indeed, these challenges have continued to defy the various strategies put in place to check them by various federal security agencies in the country, including the Military, Police, Road Safety, Civil Defense, Immigration, and Custom, thereby rendering them ineffective and inefficient, and as such contributing to louder calls for restructuring of the country. State Governors in the South-West in response to the security challenges facing the region formed the Western Nigerian Security Network (WNSN) code-named *Operation Amotekun*, the Yoruba name for Leopard, a wild animal known for its great agility and hunting prowess. This paper seeks to examine, 1. The current federal structure vis-à-vis the various security challenges in the country, 2. The formation of the Western Nigerian Security Network (*Amotekun*), i.e., its prospects, likely challenges and mode of operation, and 3. Propose some policy options to aid the performance and efficiency of *Amotekun* and any other that may follow.

Key words: National Security, Federalism, *Amotekun* and Regional Cooperation

INTRODUCTION

A fundamental function of the state in any political system is to ensure the security of lives and property both from domestic and external threats. In large, multi-national and heterogeneous states, this function is laced with logistical and operational difficulties, and as a result, the need to ensure the effective discharge of such an important function by state apparatus often crop up as one of the most compelling reasons to adopt a federal structure of governance and administration. Thus, the perceived better security that ensues when federating units pooled together their material and human resources, such that the whole becomes strong enough to eliminate threats to any of its parts, swifter and more efficient than would have been the case were any of the constituent part to do this itself, is one of the much touted benefits of a federal system of government.

Therefore, in most federal constitutions, national security and the control of national armed forces is the exclusive preserve of the central government, with constituent units expected to

contribute human and material resources for the maintenance of such organizations. However, most federal states also include in their constitutions provisions for local autonomy in matters of security within their jurisdiction, and particularly in those matters that can be better managed by local authorities. In the United States of America for example, cities and counties have their police departments, while there is also a federal police system.

Nigeria's federal structure has historically evolved from its colonial origins wherein there was certain levels of regional autonomy, into the creation of more subordinate units but with less autonomy in matters of resource control and local security challenges (Olu-Adeyemi, 2017). Since independence, the political space has been punctuated with years of military rule, which has in turn influenced the evolution of federalism in Nigeria (Akinterinwa, 2010). To be sure, the centralized character of administration and control of the military has over the years permeated the country's political space, especially given the fact that the military has supervised the drafting of various constitutions including the 1999 constitution currently in use, and as a result, contributed to the tilting of federal practice in Nigeria towards what some may call "quasi-federalism".

Hence, agitations for "restructuring", "resource control" and true federalism have continued to dominate national discourse especially since the inception of the current democratic dispensation in the country, thus leading to the rise of various centripetal elements and interests including militant organizations in the Oil-rich Niger delta region and secessionist movements in the South-East. The Pan-Yoruba cultural association, *Afenifere*, as well as *Ohaneze-Ndigbo*, its Igbo parallel, have been quite vociferous in calls for what it describes as true federalism, especially since the advent of the current administration. They have continued to lead calls for the implementation of the resolutions contained in the report of the National Political Reform Conference held under the auspices of the previous administration which it believes will solve many of the challenges facing the nation's federalism.

A key challenge to the nation's survival has been the constant threat to the security of lives and properties which in recent years, especially since the turn of the new millennium, have been on an upward trajectory. Indeed, the Nigeria Security Finder produced by the Africa Program of the Council for Foreign Relations indicates that there has been over 60,000 violence-related deaths since it started keeping tabs in 2011 (Campbell, 2020). Banditry, insurgency, kidnapping and armed robbery account for a large chunk of these deaths, thereby contributing to a growing concern about the capacity of the nation's security outfits, in their present structure and set-up, to adequately protect lives and properties.

Understandably, calls for restructuring, true federalism and greater devolution of power from the centre have also been accompanied with a growing clamour for the issue of state policing. Already, according to a report, twenty-three out of Nigeria's thirty-six states have created local security outfits to help federal security agencies in the fight against rising insecurity (Ojo, 2020; Campbell and McCaslin, 2020). Local vigilante groups ably backed by state governors, as well as Civilian/Military Joint Task Force have been set up to aid the military in combating the menace of insurgency and incessant killings, particularly in northeastern states. Similarly, a religious police outfit, Hisbah Police, has been operational in Kano state since 2003, to enforce the implementation of Sharia law (Ojo, 2020).

Growing insecurity in the southwest region of the country, manifesting in spates of kidnapping incidents, attacks on farmers and their farmlands by suspected “killer herdsmen”, as well as fatal armed robberies, while existing security apparatus including the police, military and civil defense corps appearing to be overwhelmed, forced the six states on the region, under the aegis of the development agenda for western Nigeria (DAWN), to come up with the idea of a regional security network, chiefly to assist the police to combat insecurity and ensure the safety of lives and property in the region. This initiative resulted into the birth of **Operation Amotekun**, with the enabling legislation to legally allow for its operation having now been passed by the legislative assemblies in all the six states that make up the region.

Instructively, this paper is an attempt to interrogate the usefulness or otherwise of **Amotekun** at improving the security situation in its sphere of operation, especially within the wider discourse on the re-appraisal, re-assessment and restructuring of the country’s federal structure. Conceptual and operational concerns, as well as issues of funding, supervision and the challenge of politicization are engaged in this paper with the aim of offering a scientific contribution to the growing discourse and also prescribing policy recommendations which may be useful for better management of federal practice in the country for quality social reengineering that could lead to accelerated social and economic development.

CONCEPTUAL CLARIFICATIONS

National Security

Conceptualizing National Security is a pretty difficult task given its very nebulous character. As a matter of fact, some scholars altogether labelled the concept when defined in terms of national survival an “illusion” (Eme & Anyadike, 2012:283); an ambiguous symbol (Wolfers, 1952); while Leffler (1990:144) argues that while it certainly connotes much more than national survival, “what is involved is often left vague and indeterminate”. Similarly, Ukwai and Anam (2017) have noted, quite convincingly, that the concept of national security “goes beyond safeguarding the state from external and internal threats”. They argue that “it also involves improving the socio-economic, health, environmental, physical, food and political security of the people, protecting the dominant values, ideology, and way of life of the state from threats and forestalling any form of socio-economic, political and environmental assault on the state”. Also, Holmes (2015) has argued that “national security has come to mean different things to different people” and there are now different kinds of “national securities”, including economic security; energy security; environmental security; and even health, women’s, and food security.

Whatever the vagueness surrounding its meaning and connotations, the concept of national security appear to be more often associated with analysis in international relations and foreign policy studies, where it has rendered itself to a plethora of definitions depending on the theoretical orientations of scholars and writers (Buzan, 1951, cited in Leffler, 1990) points out that in the scholarly literature, concerns about security often have been obscured by realists who focus on power (Morgenthau, 1948; Lippmann, 1943) and by idealists who dwell on peace. In Lippmann’s thesis for example, national security means that a state need not sacrifice core values in avoiding war and can maintain them by winning in war. While Wolfers (1952) makes the claim that the idea of national security is really an offshoot of concerns regarding the preservation of national interest, another vague concept, often employed in international relations study.

Accordingly, Holmes (2015) sees national security as “the safekeeping of the nation as a whole...the protection of the nation and its people from attack and other external dangers by maintaining armed forces and guarding state secrets. For Dyke (1966) “there is no doubt that national security embodies the sovereignty of the state, the inviolability of its territorial boundaries, and the right to individual and collective self-defense against internal and external threats”. He adds however, that “the state is secure only when the aggregate of people organized under it has a consciousness of belonging to a common sovereign political community; enjoy equal political freedom, human rights, economic opportunities, and when the state itself is able to ensure independence in its development and foreign policy” (cited in Eme & Anyadike, 2012:287).

Given our concerns in this study, we conceive of national security chiefly as the preservation of a country’s capacity to ensure the safety of its citizens and their property against both internal and external threats. In this respect, we talk of national security when citizens and residents in a certain country are able to go about their normal daily business in an atmosphere that is devoid of disruptions to peace and peaceful co-existence. Indeed, an ultimate test of a state’s legitimacy and viability is its capacity to provide, ensure and persevere in this all-important function. In a federal arrangement, where government powers shared by at least two levels of government through the exercise of different jurisdictional authority on citizens of a country, the preservation and maintenance of internal security is by design shared by the levels of government, while the elimination of external threats to a country is usually the exclusive preserve of the central government. Stanton (2012), argues that “in the USA, the provision of national defense – or use of force – for national security purposes is a bifurcated activity with a pre-eminent role for the national government in funding, organization and structure, and decision-making activities, and a State role in managing domestic crises and emergencies”.

Federalism

Perhaps, even much more problematic than the concept of national security is exactitude of the meaning of federalism, thereby subjecting it to a raging debate in the literature. Notable contributions on the subject are those offered by Wheare (1964); King (1982); Elazar (1987); Riker (1993) and Watts (1998). As such, it has come to be alternatively termed as “federation”, “federal system” and even “confederalism” (Stanton, 2012; Burgess, 2006:55). As Burgess (2006) puts it, federalism has been so problematic for scholars precisely because of its multifaceted nature - constitutional, political, social, economic, cultural, legal, philosophical and ideological – in short, spanning “the whole gamut of human experience. To understand federalism and federation fully and to comprehend its many faces, then, would be impossible. It has therefore a certain elusive quality about it”.

However, one of the earliest contribution to the intellectual debate about modern federalism was the combined effort of Alexander Hamilton, John Jay and James Madison under the pseudonym of “publius” (Burgess, 2006). They provided a comprehensive analysis of the theory and practice of the constitutional arrangement that birthed the American nation in their now famous *federalist* papers, and extensively discussed the merits of such a political arrangement. Indeed, the American constitution of 1789 represented the first systematic and deliberate attempt to establish federal political structure binding together a set of independent territories, without prejudice to arrangement among Swiss cantons which as Burgess notes, had been in existence since the 13th century.

Notwithstanding the contributions of Hamilton, Jay and Madison to the understanding of what the concept of federalism entails, there has been several works seeking to discuss and explain the concept both as a theory and as a practice. In this regard, Watts (1995) has pointed to the three distinct but related terms on the literature on federalism – *federalism*, *federal political systems* and *federations* - which essentially entails specific descriptions of levels of shared rule and self among levels of government in a political system. Elazar (1987) as well as Burges & Gagnon (1993), also argue that “federalism” refers to a genus of political organization encompassing a variety of species, including federations, confederacies, associated statehoods, unions, leagues, condominiums, constitutional regionalization, and constitutional “home rule.” In essence, federalism both as a normative concept (King, 1982 cited in Watts, 1995) and in a descriptive sense (Elazar, 1984) basically entails a form of government where there is a distinct division of powers, functions and responsibilities between a central government and constituent units within a given political system. While some scholars, like Wheare (1947) and Bryce (1888, cited in Rath, 1978), have tended to emphasize the legal-institutional dynamics of a federal structure, others like Livingstone (1956) and Riker (1964) have examined it from sociological aspects and political dynamics respectively. Thus, those of the juristic school of thought see federalism basically as a political arrangement in which there is a division of powers between central and regional governments so that each within its own sphere is coordinate and independent. In this, the constitution clearly defines the powers the constituent units vis-à-vis that of the central government.

Lepine (2012) has argued that the polymorphism entrenched in federalist studies has really made its meaning difficult to explain. According to him, “it seems that federalism embraces all forms of political organisations that do not fit within the centralised state. It focuses on the diffusion of power, rather than on its centralization”. To be sure, federalism as a concept has lent itself into various exploratory categories including normative and analytical, domestic and international, comparative, regional integration, fiscal federalism, multinational federalism, conflict management, regulatory federalism etc., and therefore the word ‘has been generally accepted for all kinds of presentation of the phenomenon, being descriptive, analytical or normative (Lepine, 2012).

Accordingly, there exists a plethora of definition for the concept. Watts (199) for example, attempted to generally define the concept as, “A broad category of political systems in which [...] there are two (or more) levels of government, combining elements of shared-rule (collaborative partnership) through a common government and regional self-rule (constituent unit autonomy) for the government of constituent units”. For Karmis & Norman (), “In its most general sense, federalism is an arrangement in which two or more self-governing communities share the same political space”. K.C Wheare’s formulation of federalism has over the years served as a point of departure for many scholars who have attempted a conceptualization of the phenomenon. According to him, the federal principle is “the method of dividing powers so that general and regional governments are each, within a sphere, coordinate and independent” (Wheare, 1953).

Thus, at the core of modern federalist thought are concerns on how to manage the distribution, control and use of political power in the management of people and resources within a given political structure. As Watts (1998) notes, “federalism combines a shared government (for specified common purposes) with autonomous action by constituent units of government that

maintain their identity and distinctiveness, more and more peoples have come to see some form of federalism as the closest institutional approximation to the multinational reality of the contemporary world. In line with this thinking, modern clamours for federalism, especially among certain sections within Nigeria, often derive from essentially a desire for citizens to have control over matters that directly concern them, as well as maintaining a measure of independence in the management of their resources.

Indeed in Nigeria for example, yearnings and agitations for 'true' federalism or what is commonly referred to as 'restructuring', which have become very loud in recent years, are symptomatic of the fact that the Nigerian brand of federalism is yet to adequately respond to and address some of the most important problems for which federalism has become a crucial solution – the problems of enhancing unity and cooperation in the midst of diversity. Nigeria practices a federal structure in that there are Overview of Security Challenges and the Imperatives of a Proper Federal Structure in Nigeria. It can be argued that one of the over-arching concerns of States historically has been that of overcoming challenges bothering on the issues of security, especially in the area of preserving territorial integrity and sovereignty against external attacks, as well as the protection of lives and property, issues which are quite critical to their survival. Indeed, a major consideration that often brings up the idea of federalism in a polity is that of the crucial need to enhance the ability of such a polity to protect itself against interests and forces that may undermine its sovereignty and survival.

Given the colonial origins of Nigeria, the issue of security and public safety arguably played a lesser role in the emergence of a federal structure, as the need for administrative ease. Indeed, Nigeria's practice of federalism has its roots in the country colonial history, finding expression in the plurality of colonial administrative traditions imposed by the British (Majekodunmi, 2015). Thus, while the Authur Richards constitution of 1946 laid the ground work for federal system in Nigeria by providing for the creation of regions, it was the Oliver Lyttleton Constitution of 1954 that effectively introduced federalism with division of legislative powers into exclusive, concurrent, and residual lists between the central and regional governments. The constitution also provided the appointment of premiers to head the regions.

Security imperatives under colonial rule thus were limited to ensuring the containment of acts of opposition or outright rebellion to the Crown amongst the local population. The philosophy of colonial administrative concerns was seemingly limited to the extent that threats to peace and public safety did not also constitute threats capable of subverting its authority, especially given the fact law enforcement were geared towards advancing British economic and political agenda (Chuckwuma, 2000). Indeed, the character of and set up of colonial law enforcement agencies which initially allowed for local community policing and adjudication of disputes, given the system of indirect that was in place gradually gave way to a more involvement central police authority in local affairs (Thomas, 2012), and more importantly, developed into a machinery for colonial domination, oppression and violent suppression of dissident. (Tamuno, 1970; Alemika & Chukwuma, 2014).

Given this background, major pre-independence security challenges were basically centered around reactions to the violent nature of colonial police set-up, which was primarily suppress dissent, and then to maintain law and order. Thus, besides, armed robbery and kidnapping cases, major violent eruptions that constituted security challenges included riots and

demonstrations in the late 1920s (e.g. the Igbo riots that rocked southeastern Nigeria in December 1929 and protests in the Southern Provinces of Calabar and Owerri in 1929–30, in which Igbo, Opobo and Ibibio women led anti-tax protests that escalated into broader anti-government demonstrations) workers strikes in the 1940s and communal violence from the 1950s.

Post-independence security challenges, including riots, progroms or ethnic cleansing, militancy and insurgences may also be traced to unresolved issues arising from Nigeria's colonial heritage. Indeed, the 1963 census crisis and the events that to the defunct Western Nigeria election crisis of 1964, which are well documented, had their seeds sown through the character and articulation of colonial rule, and its lopsided political arrangement which seemingly gave a section of the country more political advantage over others. Nevertheless, the civil war, fought to keep the country intact against secession objective of the defunct Eastern Nigeria, was a culmination of many of these issues. Moreover, other lesser threats to internal (national) security including ritual killings, cybercrimes, car theft, carjacking, advanced free fraud, business email compromise (BEC), drug trafficking, human trafficking among others have continued to pose serious challenges in Nigeria (Nwagboso, 2018).

Since the country's return to democracy in 1999, several serious national security issues have erupted, with many of them being carry-overs from the military era. Some of these challenges have taken such vociferous expressions, that many experts including foreign intelligence outfits expressing worry about the capacity of the Nigerian state to reverse the downward trajectory it portends in terms of human development (NIC, 2005). There is no doubt that the major challenge of Nigeria's national security is the containment of diverse manifestations of violence spearheaded by various groups, including Boko Haram and its splinter groups (ISWAP, Ansaru etc.), as well as other sources such as banditry, kidnapping for ransom and farmers/herders clashes, which has also stretched the resources, expertise, patience and even the competence of Nigeria's security apparatuses to the limit, both individually and collectively.

The continued violence and threats to human lives and property occasioned by the activities of these groups has created palpable tension in the polity, thus constituting the basis for the louder calls for restructuring from various ethno-religious groups and other local actors. As such, the structure of the nation's security agencies, particularly the policing system, owing to their colonial origins, and the long years of military rule, has not particularly reflected a federal character perhaps mirroring the macro political system which also tend to be over-centralised in terms of division of powers and the management of resources.

The police system in particular is structured in such a way that the central government has a disproportionate share of control and management, leading to an overbearing entity unable to respond to peculiar local needs in a manner that breeds confidence and efficiency. Besides, it has never really being able to move away from its colonial orientation as an instrument of domination and violent suppression of dissent, and transform into a modern, people-oriented outfit able to effectively protect lives and property. Federal control of security outfits also means federal funding, which allows for little inputs from states and local communities in terms of recruitment and strategy, with persistent under-funding, insufficient well-trained manpower and poor motivation continuing to plague these agencies.

The Novelty of *Amotekun*

The recently launched regional security network by the six states in Nigeria's southwest geopolitical zone, constitute a watershed in the security landscape of the country in terms of its uniqueness, novelty and origination, as well as the political dust it is raising given the ethno-religious mistrust that define how the issues of violence conceived and interpreted amongst Nigeria's deeply divided polity. Indeed, one of its biggest opposition yet have come from the Miyetti Allah Cattle Breeders Association, composed mainly of Fulanis, who view the formation of *Amotekun* as a covert attempt to limit the freedom of its members to breed cattle in the Southwest ("Why we're against Amotekun", 2020). Its legality was also a subject of controversy, with the attorney general of the federation declaring that the formation of *Amotekun* was unconstitutional and should therefore be shelved ("Amotekun remains illegal", 2020).

Nevertheless, the initiative signals a gradual materialization of a decentralized security landscape which effectively co-opts local actors and communities in decision-making processes as well as in operations. In terms of the security of lives, it represents a real opportunity at effectively tackling the menace of incessant security challenges occasioned by the ineptitude and obvious lack of capacity of the Nigerian Police, as well as a step towards actualizing the sustained campaign for community policing. According to Eme & Anyadike (2012), "community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnership and problem solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime" (p. 294).

Thus, the operationalization of *Amotekun* and its success or otherwise, has important ramifications for the continuous positive evolution of Nigeria's federalist democracy. For one, it is a test as to the capacity of regional political authorities to exact buys –offs and negotiate the distribution of political power in Nigeria's brand of federal practice. As such, various issues are of immense importance. These are outlined below:

Funding

The issue of underfunding has been a perennial challenge in the management of security agencies. The police for instance, is grossly underfunded manifest in terms of inadequate equipment and working tools, low manpower and inadequate remuneration. If *Amotekun* is not to suffer the same fate, adequate funding mechanisms need to be put in place to ensure the smoothness of logistics and operations. According to Rotimi Akeredolu, governor of Ondo state which is one of the six southwestern states behind the formation of the Amotekun Security Outfit, it was conceived not as an alternative, replacement or competitor to conventional security outfits such as the Polic, Military or the Nigeria Security and Civil Defense Corp (NSCDC) among others ("Amotekun not alternative force", 2020). In line with this, the objectives of Amotekun, including among others the prevention of crimes, especially armed robbery, kidnapping for ransom and murders, through the use of home grown human and institutional resources. It goes without saying that the effective discharge of these objectives requires proper funding, especially in the areas of provision of logistics and operational equipment, as well as the remuneration of personnel.

Given the precarious financial situation of the concerned states, where in they still largely depend of federally allocated revenue to finance their yearly budget (with the exception of

Lagos state, of course), their ability to adequately fund the security network is suspect. Nevertheless, ***Operation Amotekun's*** decentralized structure, i.e. states having a certain degree of control over recruitments and operations, would require that the scope of its operations will be a function of how far individual states are willing to go in terms of ensuring the safety of their citizens, especially given the fact that, as recent evidence show, the human and material costs of insecurity far outweigh those of an effective security network. It is therefore crucial that each of the states provide the necessary framework and institutional design that could facilitate the sustainability of the network. Thus, local, institutional (private and public), and even foreign stakeholders (such as international NGOs) could all be co-opted into how the network can be properly funded to facilitate the realization of the objectives for which it was envisioned. At any rate, all these would depend on the dynamism, creativity and good will of individual states to galvanize support.

Regulation

Ensuring that the operations and activities of Amotekun are within the ambit of its enabling legislation and in fulfillment of its stated objectives constitute a key challenge for the respective state governments. For one, conventional law enforcement agencies, including the police, have often been accused of being high-handed, uncivil, and violation of human rights in the discharge of their duties. Indeed, bribery, extortion and extra-judicial killings among others are some of the vices that have become synonymous with the activities of the police, and has, as such, dominated the recurring national discourse on the need for reforms, as well as leading to the continuous aggravation of the mistrust in them by the general public.

Local vigilante groups are not left out of this conundrum, with many of them, including the Oodua Peoples Congress (POC), the "Bakkassi" Boys, and even the more recent civilian Joint Task Force (JTF) have all had their share of allegations and criticisms with regards to their operational conduct in dealing with criminal activities:

- Legal and Jurisdictional Integrity
- The challenge of politicization
- Inter-agency cooperation
- Code of Conduct
- Recruitment and Staffing

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