SECURITIZATION IN NIGERIA: DECONSTRUCTING STATE BIAS AND LABELLING

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Abstract

This study examines the Nigerian Government designation of Indigenous People of Biafra (IPOB) and Shiite as terrorist groups. In outlining the causes of these labelling, the article is framed with Balzacq's securitization discussion and employs a qualitative instrumental case study of the debate around civil society groups and terrorism in Nigeria. This study proposes that while there is no universally acceptable definition and theoretical explanation for terrorism and the clear ambiguity of the Terrorism (Prevention) Act 2011, under Nigerian law, the labelling of the IPOB and Shiite groups, whose actions are mainly "peaceful protest" against the Government emanates from bias and prejudice. The article argues that, records of IPOB and Shiite activities show high level of non-violence and whenever violence ensues, it is because of government security agencies' confrontation with the groups. It posits that if Boko Haram that is internationally known for violence and under International Criminal Court (ICC) preliminary investigation for crimes against humanity cannot be proscribed as terrorist group by the Nigerian government, then, the proscription of IPOB and Shiite amounts to nothing but bias and political targeting. Therefore, the proscription of these groups as terrorist groups led to the closure of civic spaces, with little to no solutions offered for the security issues presented by these groups.

Keywords: IPOB; Shiite; security; securitization; terrorism; civil society groups

Introduction

The complexities of what constitutes terrorism is imprecisely vague, and its usage is increasingly misunderstood because "one's terrorist is another's freedom fighter" (Dershowitz 2002). In this context, the current security situation in Nigeria, with a focus on the designation of the Shiite and Indigenous People of Biafra (IPOB) groups as terrorists, is discussed. Before the advent of terrorism in Nigeria after independence, the Nigerian people have lived peacefully and in considerable harmony and cooperation, and would not go to the extremes to commit terrorist acts, such as suicide bombings, but changes towards such notions have changed over time. According to T. L. Friedman's thoughts on terrorism: "no teenager is capable of making the political decision to commit suicide, and you can bet that it was older men who encouraged them to do this, and this is not martyrdom, but a ritual sacrifice" (Friedman 2002).

Over the years, the circumstances surrounding the relationship between the people and the

government concerning their wellbeing has not improved through negotiation; in fact, it has not improved at all, which have manifested through incessant civil disobediences, such as strikes by the state and federal working class, with demands aiming towards a better livelihood. Consequently, the ways in which the Nigerian working class makes their issues known to the government have also changed. These changes are seen spiralling towards agitation, which is evidenced through protests, and through other civil groups' agitations within the country. While these changes are becoming the "new-normal" to draw the attention of the government to the underlying issues that need to be addressed, it also causes security concerns.

Security and securitization, however, have been adopted differently in different circumstances. In some cases, securitization by the Nigerian state has done more harm than good, due to the measures of securitization adoption and implementation. Based on this premise, security/securitization becomes a serious issue as both the state and the academic grapple to find adequate meaning. For Balzacq et al. (2016), securitization is the combination of a designed threat with threat management; which means that securitization manifests when an issue is made important, and prioritized to make the audience accept an issue as it is being designated, and then enables those who authorize or implement security to use whatever means they see as appropriate to justify their means of security implementation. This resonates with the intricacies (when the government propagates the IPOB/Shiite groups as violent groups) in order for the groups to be proscribed as a terrorist group by the Federal Government of Nigeria (FGN).

However, certain questions become pertinent here, such as under what conditions should a group be labelled and designated as a terrorist group; what are the legal provisions within the Nigerian law that qualify a group to become terrorist; is there any legal framework or definition of terrorism in Nigeria; can an act that has not been criminalized by any code of law be considered a criminal act; why is the Nigerian Government selective in her labelling of some groups as terrorist organization; and what are the implications of the actions of the government on the security situation of Nigeria. An understanding of these issues would provide lucid and clear insights into the arguments presented in this article. It could further open up interrogations regarding the intricacies and interconnection between security and politics in Nigeria.

Labelling of civil society groups whose activities challenge the status quo is an old phenomenon common with military governments. But even civilian democratic governments since the fourth republic Nigeria have shown high level of state predation and coercion against civil societies. It is an old strategy implemented by the state in order to give credence and justification for the physical or military forces implemented against such group. Thus, the same strategy has been invoked on the IPOB/Shiite groups in Nigeria. Unfortunately, when this type of physical force is utilized by the Government, it eliminates all spaces and room for the agitations or demands of the groups to be addressed. There have been long and overwhelming debates on what constitutes or defines a group as a terrorist in the literature.

Therefore, this study seeks to fill the gap of the securitization of civil group in Nigeria, by examining specifically the conditions necessary for a group to be designated as a terrorist group, for example, the labelling of IPOB/Shiite group by the state as part of the process of

securitization of civil society, and the closing of civic spaces (by securitizing the civic spaces) done through an exploration of Balzacq's securitization discussion. Most importantly, it contributes to the debate of terrorism and security in Nigeria, and serves as a basis for assessing the labelling of civil society groups as terrorist groups when agitating for their rights in a country practicing democracy. In executing the set objectives of this study, a qualitative method is used through an instrumental case study based on Balzacq's theorization of securitization, with the research problem focusing on the essence and hypothesis of labelling the IPOB and Shiite as terrorist groups. In other words, the research seeks to investigate if the IPOB and Shiite groups meet the threshold of being labelled as terrorist groups. Accordingly, the discussion is accompanied with secondary literature, government publications, and internet resources are adopted. The scope of this study is limited to the IPOB and Shiite groups in Nigeria, and how terrorism is approached by the Nigerian Government. The article is divided into six main sections, which are the literature review; terrorism in Nigeria; the labelling of groups as security threats; securitization and civil society in Nigeria; and the consequence of proscription and ways out.

Literature on Terrorism and Its Diverse Manifestation

Terrorism is a highly contested concept without any universally acceptable definition and theoretical explanation. There is no widely accepted theory of terrorist behaviour and many descriptive and prescriptive studies on terrorism in different fields such as Political Science, Psychology, International Relations, and Economics among others fail to provide a universally acceptable theory of terrorism. In this section, attempt is made to proffer understanding of terrorism within the lens of securitization theory as well as other definitions of the phenomenon by international organizations and others.

Securitization theory is based on the general idea that the "existence and management of certain issues as security problems does not necessarily depend upon objective, or purely material conditions" (Balzacq and Guzzini 2015, p. 3). Nevertheless, there is a vast literature on the empirical application of securitization theory in the world we live in today. As described by Balzacq (2011, p. 1), regarding securitization, "the argument is that while discursive practices are important in explaining how some security problems originate, many develop with little if any discursive design." The aforementioned is applicable to the situation and units of analysis (IPOB and Shiite) adopted in this study. As observed during this study, the Nigerian state appears to deal with security situations as it presents itself (apart from the normal security state institutions already existing) rather than pre-emptive or discursive design to reduce insecurity in the country. Accordingly, there are three core assumptions of securitization theory, as proposed by Balzacq, (2011, p. 8–15). which are:

(1) The centrality of audience: Discusses that for an issue to be pronounced an instance of securitization, an 'empowering audience' must agree with the claims made by the securitizing actor (which in this case is the Nigerian government). The empowering audience is the audience that (a) has a direct causal connection with the issue; and (b) has the ability to enable the securitizing actor to adopt measures in order to tackle the threat. In sum, securitization is satisfied by the acceptance of the empowering audience of a securitizing move.

- (2) The co-dependency of agency and context: The semantic repertoire of security is a combination of textual meaning—knowledge of the concept acquired through language (written and spoken)—and cultural meaning—knowledge gained through previous interactions and current situations. Thus, the performative dimension of security rests between semantic regularity and contextual circumstances.
- (3) The 'dispositif' and the structuring force of practices: Securitization occurs in a field of struggles. It thus consists of practices that instantiate intersubjective understandings and which are framed by tools and the habitus inherited from different social fields. The 'dispositif' connects different practices

Hence, from the stated assumptions above, the two case studies discussed in this study aligns with the assumption of security situations that needs to be addressed, or at least discussed in security studies where inferences on the origin, construct, and provision of security are discussed analytically. Therefore, the security assumption theorized by Balzacq serves as point of entry into discussing the labelling of IPOB and Shiite as dis-cussed in this study.

The concept of terrorism is so wide because it points out to or applies to any actions that scares ("terrorize") us. Perhaps, terrorism is better understood through its fear-inducing quality—an integral part of terrorism—but still insufficient to define the phenomenon of terrorism accurately (Hoffman 2006). The challenges associated with the definition of terrorism as mentioned earlier is a major challenge to addressing confrontations strategically when it presents itself against the state. The labelling or proscription of a group of people as terrorist without crossing the t's and dotting the i's, is likened to when a state is being termed as a "rogue" state. As rightfully said by Hoffman, the term terrorism is a political concept and a type of violence.

The understanding of state terrorism, as noted by Jackson et al. (2010), is the intentional use of threat of violence by the state or its agents against individuals or groups who are victimized for the purpose of intimidating or frightening a broader audience. Many authors focusing on state terrorism, and non-state terrorism, have explained terrorism as a violent means that manifest through errant opposition and which lacks the reasoning to settle differences through the normal available avenues in the country, such as litigation, and without considering the non-violent and structural policies playing an integral part in the causation of the violent nature, such as those who take up arms and implement extreme measures for their cause. If we are to take Hoffman's explanation that highlights the broad concept of terrorism as any action that scares ("terrorize") us, then it will be justified to attribute issues such as corruption as an attribute of terrorism meted out by politicians in the state. This is so, because structural corruption does a lot of harm to people, in that it plays out through robbing of the country and its citizens what they need to enjoy a better life, and this sole attribute is a terror on the individual. The structural corruption also brews and gives way to discontentment and agitation within the society, which then leads to agitation and demand for accountability by the people or groups that are affected or dissatisfied.

Again, the eschewing factors, such as corruption as an attribute of terrorism, will be undermining its explainable power for the discussion of defining terrorism and its diverse manifestations.

Therefore, on the diverse nature and causes of state terrorism, Bjørgo (2005, p. 3–4) identified four causative levels: structural, facilitator, motivational, and triggering causes. This is well captured by Chomsky, who aptly asserted that terrorism, which came into use by the end of eighteenth century, primarily was referred to as the acts of government designed to ensure popular submission to molest their own subjects, but has now been applied to "retail terrorism" by individuals or groups. With Chomsky's analogy on the pirate maxim, and by the act of terror committed by "them" and not "us", one begins to question and understand the modalities and application of the word terrorism by government. The changing face of terrorism focuses now on "retail terrorism", which is terrorism perpetrated by small groups, rather than "wholesale terrorism", which is state sponsored terrorism (Wolpin 1995).

Juergensmeyer (2003), noted that violence has always lurked as a shadowy presence in religion raging from the crusading ventures and martyrdom. In other words, violence aided by religion is not new, and it keeps playing out differently in the current geopolitics of today. "Beyond the core meaning of terrorism, there is heated disagreement regarding the delimitation of the phenomenon of terrorism, and especially when it comes down to which specific groups or violent campaigns should be included or excluded under the label "terrorism". Some definitions explicitly reject state actors as potential terrorists, while others incorporate states.

Some definitions, such as those by the Federal Bureau of Investigation (FBI), North Atlantic Treaty Organization (NATO), European Union (EU) and the U.S. Code, limit the notion of terrorism to attacks on civilians only, whereas other definitions would include military and police targeted under non-war conditions. Some limit terrorism to violent acts with a political reason, while others also peg terrorism for criminal purposes. Schmid (1992) proposed a definition to the United Nations Office on Drugs and Crime, asserting that "the act of terrorism is merely a peacetime equivalent of war crime. Most of the definitions (implicitly or explicitly) see terrorism as an illegitimate act and strategy; regardless of its aim whether political, religious, separatist, anti-imperialist or socio-economic reasons" (Bjørgo 2005, p. 2). Thus, Schmid et al. (1988) noted that the emerging consensus, nonetheless, is that terrorism is mainly an extremism of means, not one of ends.

According to Webel (2004), the search for a universal definition of "terrorism" has been a contested one because one's terrorist is another's freedom fighter and Dershowitz (2002), aptly asserts that it makes the concept an open one. Laqueur (2004) posited that "terrorism constitutes the illegitimate use of force to achieve a political objective when innocent people are targeted". Going by this definition, it attempts to absolve the state, which is the "wholesaler" of terrorism, from acts of terrorism. For the state to have monopoly over the use of force, it becomes difficult to ascertain when the state can use force illegitimately. Just like Laqueur, Hoffman's attempt to define terrorism by identifying some of its characteristics, and distinguishing terrorism from other forms of crime, also exonerated the state from acts of terrorism. From his distinction, Hoffman (2006) identified five key characteristics of terrorism to include: ineluctably political in

aims and motives; violence or, equally important, threatens violence; designed to have farreaching psychological repercussions beyond the immediate victim or target; conducted either by an organization with an identifiable chain of command or conspirational cell structure; and perpetrated by a subnational group or non-state entity.

The act of terrorism depends largely on the perspective of the group or the person using (or abusing) terrorism terms. For example, Webel noted that terrorism is used often to denote politically motivated attacks by subnational agents who are often contested in the relevant scholarly literature and/or states. Thus, "terrorism" is as old as violent human conflict. In this regard, Webel, in agreement with the philosophers Jurgen Habermas and Noam Chomsky, asserts that "terrorism" is a political construct, a historically variable and ideologically useful way of branding those who may violently oppose a particular policy or government as beyond the moral pale, and hence "not worthy" of diplomacy and negotiations. Furthermore, he proposed a definition for terrorism, as being a premeditation that is politically motivated, with the use or threatened use of violence in order to induce a state of terror in its immediate victims, usually for the purpose of influencing another, less reachable audience, such as a government.

Over the years, the word terrorism keeps being modified, as shown from the aforementioned. This connotes that there are several problems associated with defining terrorism. Adding to the debate on the definition of terrorism, Martini and Njoku (2017) noted that the word "terrorism" is a label that is applied from outside, and not a word a group or individual adopts voluntarily, because the perpetrators of the attack do consider their actions being motivated for the cause they are fighting for. This causes that groups are associated with pejorative connotations and characteristics, such as barbarism, evil, and craziness, which then creates a perfect description of the "enemy" for the state, to brand the violent opponent or even non-violent opponent terrorist, which is discussed further in this study. Like Martini and Njoku, Petta (2018) noted that a terrorist group is just a layer of interaction between the political groups inside the core government with groups outside this government sphere. The label of terrorism will be only applied by states concerned about specific non-governmental groups in a specific moment. In fact, even NGOs may be considered terrorist groups or a national security problem if the political groups at the core of the state decide that it is appropriate. Interpreting the terrorist label by understanding the different levels of interaction and the function of the state may help to explain when such group will or will not be described as terrorist group rather than just a criminal organization.

Terrorism in Nigeria

The beginning of terrorism in Nigeria can be traced back with the Killing of Dele Giwa by a letter bomb in October 1986 (Obene 2012). During pre-colonial conquest, terrorism had no place; terror based on religious ideologies had no place in Nigeria until 2009. At worst (during the post-colonial era), the Nigerian state witnessed only small-scale inter-communal wars (Chukwudike and Eminue 2017). Other occasions include the hi-jacking of the Nigerian Airways aircraft in October 1993 by the Movement for the Advancement of Democracy, Abiola's presidential

election, and a vicious bomb blast that killed six people at Ilorin Stadium in August 1994 (Omale 2013).

The adoption of foreign religions (Christianity and Islam) has also shown to have some tendencies for violent confrontations. It has been argued by Onuoha (2012) and Kukah (1994) that religion is the main cause of the emergence of Boko Haram as an Islamic sect, which threatens the peace and security of the Nigerian state, with atrocities com-mitted by the Boko Haram group mostly in the northern parts of Nigeria. One of the situations that created the Boko Haram problem in Nigeria also "ies in the imposition of political and economic will on Islamic civilization by the United States and Europe through the process of globalization, which emphasizes neo-liberalism, gender equality, and individualism, among others (Mbah et al. 2017).

It should be noted that Christianity also has a history of terror and with current events. Taking from recent events, for example, in 2019, Brenton Harrison Tarrant was charged for the murder of fifty-one Muslims during their prayers, which was motivated by the U.S. President Donald Trump's allusion to taking a Christian course, seen as a symbol of renewed white identity and common purpose, quoting Pope Urban II's call for crusades: "let our lives be stronger than death to fight against the enemies of the Christian people" (New York Post 2020). Another example is that of Robert Doggart in 2015, when a previous congressional candidate and self-proclaimed Christian minister was arrested and accused for planning to attack a mosque and school with the intent to kill Muslims. Nevertheless, the case of Tarrant and Doggart appear to be prompted by religious fundamentalism caused by Christianity, but deeper analysis provides convincing evidence that a white supremacist inclination is at the root of these acts.

Christianity was also introduced to Nigeria by the colonialists, but subtly, and terrorism on a large scale under the auspices of Christianity radicals has not yet been recorded in Nigeria. For clarification, this is not a criticism of individuals' choice of religion, but rather noting the dangers of foreign religions (Islam and Christianity) relative to indigenous religions in Nigeria, such as Ifa, a religion common among Yorubas; Odinani, common among Igbo; and Maguzanci, among Hausas.

On the issue of terrorism, Gay noted that government is exercising too much control over the terminology used to describe our situation, often resorting to vitriolic rhetoric, and the media are adopting this terminology too uncritically, generally handling governmental rhetoric with kid gloves (Presbey 2007). Gay explained that the language used to frame issues in the state influences how we think fundamentally. Thus, those who control the language, the terminology, and the definitions on these issues will largely control the politics of how we respond. Presbey provided a little conceptual and historical clarity by defining terrorism using primarily pre-11 September 2001 sources since they do not include the emotional and political dimensions of so many post-11 September 2001 treatments. Firstly, he noted that when people think about terrorism, they generally fail to recognize that it has these two major forms, known as enforcement terror (which is a terror committed by incumbent power) and agitational terror (which is a siege of terror committed by an insurgent power), which can be parsed in several

ways. The afore-mentioned plays out with the Nigerian Government on IPOB and Shiite cases. Furthermore, Presbey discussed that terrorism is designed to influence political behavior by using or threatening the use of violence. In this regard, Johnson also informs that "ordinarily, terrorist acts are thought to be different from military operations, but that distinction is not always clear"; both "treat victims as a means" (Johnson 1996).

The Nigerian Federation Act of terrorism (2011) states that a person who knowingly - (a) does, attempts or threatens to do an act preparatory to or in furtherance of an act of terrorism; (b) commits to do anything that is reasonably necessary to promote an act of terrorism; or (c) assists or facilitates the activities of persons engaged in an act of terrorism.

The expression above is an act but not a definition in itself. Furthermore, the Nigerian terrorism definition act of 2011 is incompatible with Nigerian Domestic and International human rights, which led to the amendment of the act in 2013, with some laudable improvement but with significant flaws (Nwosu 2018).

For clarity, the Nigerian Terrorism Act, and related offences Part 1. No. 3, state as follows:

(3) An Act which disrupts a service but is committed in Pursuance of a protest. However, demonstration or stoppage of work is not a terrorist act within the meaning of this definition provided that the act is not intended to result in any harm referred to in subsection (2) (b) (i), (ii) or (iv) of this section.

For clarity, Section (2) (b) states as follows:

- (i) unduly compel a government or international organization to perform or abstain from performing any act;
- (ii) seriously intimidate a population;
- (iv) otherwise influence such government or international organization by intimidation or coercion.

Even with the terrorism act that serves and aids counterterrorism policies, Njoku (2017, p. 1) refined the research on the counterterrorism (CT) laws and informed that the Nigerian CT laws, policies, and structures are a replication of the USA PATRIOTIC Act and the United Kingdom's Counterterrorism Act of 2000 and 2006, which shows diminutive sensitivity to the historical, political, and social context of the Nigerian state.

From the discussion above, the proscription of the IPOB as terrorist group by the Nigerian Government becomes problematic. The problem lies in the action of the Nigerian Government for cases or situations where they proscribe groups as terrorist organizations. From the terrorism act described above, the IPOB and Shiite actions, with specific reference to Part 1 No. 3, through protest are not acts of terrorism because they exercise their fundamental rights. Moreover, IPOB are not known to have used violence either against the civilian population or security personnel, until recently in 2015, where the Nigerian security operatives openly resorted to killing them.

They took up arms in the spirit of natural preservation and survival, which does not fall under the ambit of arms and weapons of the terrorism act as a criminal act. Just as the IPOB have the right to agitation for self-determination, so also do they have the right for self-survival and preservation, as stipulated in Universal Declaration of Human Rights (UDHR).

IPOB and Shiite Activities

The IPOB and Shiite activities in Nigeria are examples of civil society groups protesting for their rights in a democratic state. Their activities have attracted international attention. Although these groups engage in "peaceful protest", IPOB uses hate speech (calling the Nigerian state a zoo, implying that the country is like that of an animal kingdom or Orwellian 'animal farm'); in turn, the Shiite group protest take the form of demonstrations and road blockades in Kaduna State, with recent developments chanting change the change, a change the government promised Nigerian citizens in terms of governance and better life. They also chanted no more Mr. Integrity and calling President Muhammed Buhari Mumuhari, which means a fool. It is based on these activities by the groups that the Nigerian government labelled them as terrorist groups.

The Labelling of IPOB/Shiite Groups as Security Threat

The controversy surrounding the proscription of IPOB and Shiite originates from the clarity of problems in defining terrorism, and what constitutes an act or acts of terrorism. Semantically, a definition is what is meant by a word, text, concept, or action, and an act is to behave in a way specified. Discussing the labelling of the IPOB/Shiite groups is approached from three dimensions: one is based on the fact that these groups are civil society groups exercising their human right; the second dimension is based on the fact that there is no standardized, consistent, and lucid definition of terrorism or acts of terrorism within the domestic legal jurisdiction in Nigeria; and thirdly, a critique of the Nigerian Act of Terrorism, and related offences, shows flaws as a premise for the declaration of IPOB and Shiite as terrorist groups.

Civil society (CS) as explicated by the World Health Organization (2017) is organizations, referring to "the space for collective action around shared interests, purposes and values, generally distinct from government and commercial for-profit actors". Civil society includes charities, development NGOs, community groups, women's organizations, faith-based organizations, professional associations, trade unions, social movements, coalitions, and advocacy groups. By implication IPOB/Shiites group falls into the category of a civil society group based on their shared interest and purpose, which they strive towards by exercising their human rights via protest. It then becomes faulty when the government labels them as terrorist organizations. On the other hand, the proscription of these groups as terrorists is a conscious effort by the government towards securitization, as explained by in the early part of this work by Balzacq et al. (2016), where the authority (the government/state) presents an issue that appeals to the mind of the people for justifiable security action/implementation against groups those in authority feel threatened by.

The second argument is simple. Nigeria has no standardized, consistent, and lucid definition of terrorism or acts of terrorism; therefore, there is no validity in ascribing the status of terrorist to any group. If there is no definition, upon what premise is the actions of those labelled terrorists determined? Logically, if there is no criminalization of an act, such an act can never be an offence, and if the act must be criminalized, then what constitutes the act must be clearly defined and specified. Due to a lack of a clear and concise definition of terrorism in Nigeria, it becomes wrong and faulty to define the actions of any group as consistently constituting terrorism, a crime which has not been succinctly defined. However, if what is provided in Part I, No. 3 of the Terrorism (Prevention) Act 2011, as already cited in the literature review and theoretical framework, is to be regarded as a definition of terrorism in Nigeria, then its ambiguity and incoherence renders it unfit to be utilized as a terrorism definition. Analyzing this ambiguity and its unsuitability to become a functional definition of terrorism forms the basis of the second argument.

Let us look again at the provisions of the Terrorism (Prevention) Act 2011, and related offences, Part 1. No. 3 hereunder:

(3)An Act which disrupts a service but is committed in Pursuance of a protest. However, demonstration or stoppage of work is not a terrorist act within the meaning of this definition provided that the act is not intended to result in any harm referred to in subsection (2) (b) (i), (ii) or (iv) of this section.

For clarity, Section (2) (b) states as follows:

- (iii) unduly compel a Government or international organization to perform or abstain from performing any act;
- (iv) seriously intimidate a population;
- (iv) otherwise influence such government or international organization by intimidation or coercion.

If the above is what the Nigerian state operationalizes as the definition of terrorism, there is much to be questioned. The definition will not only be ambiguous but vague and lacks the much-required adjectives for exclusive clarity. The general assumption is that any act committed in pursuance of protest constitutes terrorism and at the same time demonstration or stoppage of work is the only form of protest and demonstration that is exempted from an act of terrorism. Consequently, the use of protest without the adjective "violent" constitutes intrusion and an infringement on the human rights of individuals and groups. Not every protest and demonstration has a violent motif, but even so, here non-violent protests and demonstrations constitute civil disobedience, which fails a basic fundamental human right, especially in a democratic state. By not qualifying "protest" implicatively, any act of protest (violent or not) by anybody or any group is criminalized. Protests by students, farmers, or market people become acts of terrorism under this circumstance.

Moreover, peaceful protests and demonstrations do not disrupt public services as they are always conducted in a non-violent manner. For the Nigerian state to premise on this kind of unclear definition to proscribe the IPOB and Shiite as terrorist groups in-variably, make her a terrorist state for implicitly denying, restricting, and stripping the fundamental human rights of the citizens. Any action, taking from the definition (including the present banning of IPOB and Shiite), is contravening the provision of the Universal Declaration of Human Rights (UDHR). It suffices to present observations of the actions of the Nigerian state, which qualifies it as not only a terrorist state but a predatory state infringing on the human rights of its citizens. The arrest of Sowore for calling for #RevolutionNow and his dentation despite court orders for his release is a typical ex-ample. This incoherence and ambiguity clearly implicate the Nigerian state and compels all their actions in proscribing and banning the IPOB and the Shiite groups to amount to illegality, since the actions of these groups do not fall within the premise of any clearly consistent definition of terrorism. The overly broad labelling of terrorism also could be as a result of the lack of universal agreement on what terrorism is (Fowler and Sen 2010).

The way international and domestic terrorism is addressed is different because they are operationalized differently and there are different underlying causes. The inability and inefficiency of the Nigerian Government (which is largely due to corruption) has a direct link to the causes of state terrorism, militancy, kidnapping for ransom, and other insecurity issues. We have discussed elsewhere (Ekumaoko and Ezemenaka 2020) how corruption impacts on terrorism and violence in Nigeria, to the extent that military professionalism is misused and abused.

Accordingly, 'any society that seeks to achieve adequate security against the background of acute food shortage, population explosion, low level of productivity, and per capita income, low technological development, inadequate and insufficient public utilities, and chronic problems of unemployment (religious intolerance and criminal politicking) has a false sense of security' (McNamara 1990). This is a vivid explanation of the Nigerian Government's handling of security issues. However, the only response offered by the Nigerian Government to agitation and protest is violence and terror. A recent example is the #Endsarsnow protest that started in October 2020, which has as its underlying cause the bad government in Nigeria, where protesters were shot with live rounds by the Nigerian military and police, coupled with deploying of thugs to harm the peaceful protesters. Protests play an important part in the civil, political, economic, social, and cultural life of all societies, and it appears to be the major instrument of civil society groups in airing or bringing their issues before the government and the public when some issues are not being addressed within the society.

Historically, some protests have often inspired positive social change and improved conditions of living as well as the protection of human rights, and they continue to help define and protect civic space in all parts of the world. The French Revolution (1789–1799) created a republic governed by the principles of liberty, equality, and fraternity; the Haitian Revolution (1791–1804) earned the ex-slaves independence from France; and the Serbian Revolution (1804–1835) brought constitutional changes that made Serbia a modern state. Protests encourage the development of an engaged and informed citizenry and strengthen representative

democracy by enabling direct participation in public af-fairs. They enable individuals and groups to express dissent and grievances, to share views and opinions, to expose flaws in governance, and to publicly demand that the authorities and other powerful entities rectify problems and are accountable for their actions. This is especially important for those whose interests are otherwise poorly rep-resented or marginalized. Yet, governments around the world too often treat protests as either an inconvenience to be controlled or a threat to be extinguished (ARTICLE 19 2016).

Furthermore, Gurr notes that the frustration that results in people protesting does not explicitly imply violence, but when it is sufficient and prolonged, it often leads to anger, which degenerates into violence (Saxon 2005). This is exactly the case for the Shiite group and its clashes with the Nigeria Police Force in Abuja, resulting in loss of life. Though Stewart (2008) argues that there is a link between horizontal inequalities and armed violence, the IPOB method is not directly associated with armed violence. Nevertheless, their method of protests is enmeshed with hate speech (e.g., calling the Nigerian state a zoo), which could incite violence.

Nigerians are known to call their leaders names when the public perceive they are not representing their interest or meeting up to the standards expected of the political position they occupy. This type of behavior between Nigerians and their government can be found in countries such as the United States, where people made fun of President Donald Trump with effigies as well; but the ability of those in power being able to accept such a display or disposition by the public is relative even with the adoption of "democracy" that allow freedom of speech/right. For example, the Rwanda genocide was predicated on hate speech. Shiite protests have not led to armed violence, but their protest methods also have not been entirely peaceful; they have long been organizing a series of anti-state protests and road blockades in Kaduna. Summarily, there is alarming concerns that the CT laws and practices of the Nigerian Government on civil society groups based on the concept of securitization are increasingly alienating human rights and these measures may be counterproductive and the methods in which these laws are enforced may feed and sustain terrorism in Nigeria (Njoku 2017, p. 1015).

Discussion

The following discussion will detail how Nigerian government have employed wrong tactics in engaging with civil societies advocating for justice, political inclusiveness and good governance. It will also address the likely outcomes for government's proscription of IPOB and Shiite as terrorist groups.

Securitization and Civil Society in Nigeria

Since independence, the Nigerian state has been both military and democratic (although the concept of democracy in Nigeria is loose). During the military regime, security was solely about the state, and any threat to the Nigerian state was brutally confronted (e.g., the Nigerian Civil War or Ken Saro-Wiwa cases). Mustapha (2001) provides a description of Nigerian security during

the military era, which involves draconian decrees, arbitrary arrests, detention for long periods without trial, and the muzzling of the press (1983–1985). Contrastingly, president Buhari, who claims that he has dropped the ways of the military in governing the affairs of the Nigerian state, contradicts the ways he currently governs the country democratically. Since the transition from military rule to democratic rule in 1999, the handling of security has reflected the agenda of the elected president.

From a logical perspective on democratic provision of security (involving political liberties, freedom of speech, freedom of association, and electoral freedom in Nigeria) since its inception, on the spectrum of comparison, the assessment of democratic political liberties compared with military rule showed a downward movement of freedom of speech, freedom of association, and electoral freedom from the year 2000–2005 and also major problems associated with democracy (Lewis 2006). In other words, democracy in Nigeria is still in the process of becoming what a democratic nation should be. Perhaps it is unsurprising that the standards of human rights and human security of the Nigerian state are appalling. Still on security, over the years, the insecurity in Nigeria constitutes a serious threat, not just on the lives and properties of the citizen, but also hinders business and discourages local and foreign investors, stifling the Nigerian socioeconomic development and also serves as a threat to the corporate existence of the country as one geographical entity (Ewetan and Urhie 2014). Sadly, the trend of insecurity in the country, which moved from the military regime in adopting a democratic regime due to the untold carnage on human rights and security, is still alarming. Perhaps this is because the democratic administration has been recycled from the military rulers, except for the late president Umaru Musa Yar'adua and president Goodluck Ebele Jonathan, who are not ex-military officers. Even with civilian rule, the military is complicit.

Civil society is pivotal in addressing insecurity, which ranges from marginalization to crimes within the country. However, the civil society space in Nigeria is very limited. The limitation of civil society groups in Nigeria is due to a repressive government through the concept of securitization and it often has adverse effect on civil society organizations (CSO) (Akanji 2021). This renders civil society ineffective and points out the anomalies of dysfunctional systems within the state as the people who are affected are muzzled and are helpless in the hands of politicians who have little interest in the public. In other words, the state controls the political realm and influences the political arena, where service delivery and demand for accountability and transparency are impinged by the state (Njoku 2020). On securitization, the audience is a key factor, as noted by Balzacq et al. (2016). It influences the authority on the adoption of the security measures they deem fit. However, what makes an audience to accept a threat as proposed by the state/authority varies. The audience includes the popular, elite, technocratic, and scientific people (Salter 2008).

Nonetheless, the way the audience is influenced to accept a threat and see it as such within the Nigeria falls mainly on the northern and southern geographical enclaves due to ethnicity and religion. These two variables (ethnicity and religion based on the northern and southern regions divide politics) keep playing a major part in the securitization of the civil society groups and other state affairs. The north-south divide in Nigeria is a colonial construct in which the two

regions are in constant antagonism, hardly getting a compromise or even consensus opinion over any issue, including security issues. For example, the October 2020 EndSARS protest was mainly a southern affair, with people in the north protesting against the protest.

Consequence of Proscription

Concerning Pro-Biafra IPOB and Shiite protesters, the Nigerian Government's approach has been to designate these as terrorist groups, without engaging in meaningful, inclusive dialogue. IPOB and Shiite protesters have been killed by the Nigerian army (Anjide and Chukwuma 2017), attracting international concerns (Human Rights Watch 2015, which is likely to trigger future conflicts and violent events (Idahosa 2016).

Two years ago, IPOB members assaulted the former deputy president of the Nigerian senate in Nurnberg Germany because of his alleged conspiracy with the Nigerian Government to designate the IPOB a terrorist organization, which also resulted in the killings of their members (Punch 2019). The attack was made where the Nigerian Government has limited power to take unjust and brutal measures against the attackers. This is an example of how designating a group as terrorists could lead to the targeting of Nigerian politicians outside of Nigerian, which might also spread to include politicians' families abroad.

The Shiite protesters' demand for the release of their leader, El Zakzaky, also has resulted in violence and the loss of life. Unwillingness to address the underlying problems peacefully through democratic and other native/local peaceful means, for so long, builds up to violent confrontation. For example, the Shiite situation could degenerate, becoming a replica of the Boko Haram insurgent group in the north. The Shiite already have history of violent activities in Nigeria, which started in 1991 with security forces in Katsina, a decapitated Christian in 1996, clashes with emirate authorities in 2005, the murder of Sunni Cleric Uman Dan Maishiya in 2007, clashes with police in Zaria in 2009, and clashes with soldiers in 2014, which resulted in the killing of about 35 of their members (Obasi 2015. Therefore, the designation of these groups as terrorists will be putting them in the limelight and also gives them recognition on terrorist organization watchlists, where some might sympathize with their cause and who have been seeking a blueprint strategy to destabilize the country.

From a different perspective, it seems that the IPOB and Shiite groups have different agendas. The IPOB has a separatist agenda based on marginalization, while the Shiites want to expunge the Western ways of governing and to create an Islamic state in Nigeria. However, from a logical perspective, it can be adduced that both groups' position centers on the discontentment of how the Nigerian Government addresses the issue of individual and societal development in the country, a problem hugely associated with corruption.

Based on thematic scope, making a conceptual and definitional analysis of corruption and specifically the corruption in Nigeria here will be of little essence. However, the magnitude of corruption in Nigeria has created tragedy for development and challenges to democracy, which are all forms of national and individual insecurity. Hence, corruption is largely attributed to the

politicians and the elite in the country. Awojobi (2014) listed a typical example of political corruption: "two former Senate presidents, Chuba Okadigbo and Adolphus Wabara, were involved in a corruption scandal". Other Senators and honorable members of □the □national assembly \(\text{that have been engulfed} \) \(\text{in corruption scandals include Chimaroke Nnamani, Iyabo} \) Obasanjo, Dimeji Bankole□, and his deputy, Patricia Etteh □and her deputy, Farouk Lawal, Boniface Emanalo, Ndudi Elumelu, and Herman Hembe" (Ogundiya 2009).

This is despite their huge salaries and the benefits allocated to them that was revealed by a prominent senator Shehu Sani. The Senator informed the public that, "Nigerian senators are entitled to monthly expenses of 13.5 m naira (which is around \$33,480–46,500), in addition to their monthly salaries of more than \$2000" (BBC 2018. When compared to the minimum wage salary of 30,000 Naira (US\$79, approximately), then one begins to understand that one of the key Nigerian insecurity problems are associated with the huge economic gaps created by the politicians. This is a typical case associated with relative deprivation, as explained by Gurr (1970), stating that a gap between the expected and achieved welfare creates collective discontent. the proceeds of the capital injected into state development to provide for the Nigerian people, thereby reducing discontentment, grievance, and eventual violence.

The upsetting thing with the funds allocated to these senators is the provision of "hardship allowance", coupled with the provision of lifetime pension at a rate equivalent to the annual salary of the incumbent President (or Deputy President) of the Senate or Speaker (or Deputy Speaker) of the House of Representatives (Federal Republic of Nigeria 1999). The allocated funds are for the lawmakers of a country that is so much in debt, and which keeps borrowing from the World Bank, yet they do so little to liberate the Nigerian people from poverty by building the country's economy through state production and employment.

The consequence of the proscription without exhausting different pathways in ad-dressing the conflict between the different groups and the government is that, first, it closes the civic space for civil society group to address issues that are an oversight or deliberately not attended to by the government due to political and ethnic factor. Second, it diminishes Nigeria's reputation and integrity internationally. International political conflict hurts a country's image and further influences consumers' purchase intention (Kang et al. 2018). While conflict persists, the international community will see the Nigerian state as another nation breeding groups of terrorists. Secondly, the state economy of a country seen as terrorist infested will decline because of reduced inflow of foreign direct investment (FDI) (e.g., Pakistan) (Hasmat et al. 2017). Thus, "if a developing country loses enough FDI, which is an important source of savings, then it may also experience stagnated economic growth" (Sandler and Enders (2010)), just as capital may take flight from a country plagued by a civil war (Collier et al. 2005). A government that cares for its people will exploit all reasonably available resources in addressing internal conflicts/issues rather than rushing to designate groups agitating peacefully as terrorist organizations. There is no clear Nigerian definition of terrorism that can be used in analyzing the IPOB and Shiite protests.

Ways Out

Based on this study, discontentment and marginalization are the principal drivers of protests, fomenting people's minds, and when an opportunity is provided by those who play on the rhetoric of discontentment/marginalization, stemming from lack of basic amenities in the society, such as most of the people living in extreme conditions of poverty in the northern region of Nigeria, ideologies leading to terrorism, such as Boko Haram, begin to manifest. Therefore, a keen analysis of the major issues subverting the Nigerian state needs to be taken into consideration. The Nigerian state is mainly divided into religious and ethnic cleavages. If the Nigerian state will reposition itself to surpass its past glories in the forefront of a developing state in Africa, it will need to provide security, the right enforcement of law and justice, equity, and the provision of jobs for the Nigerian people; indeed, there is the need to shift from religious sentiments and ethnic-based politics to a working state.

Nigeria is a secular state but is dominated by Christian and Islam religions, with one of the most religious faithful populations worldwide. The number of religious people Nigeria surpasses the number of religious people in European countries; yet, the belief concerning the provisions of prosperity and morals for human life enshrined in Christianity and Islamic religions are not reflected in the lives of most Nigerians, and Nigeria has failed woefully to address corruption and the various insecurities battling the Nigerian state. Rather, the civil groups that protest for these rights are inhibited through the restriction and closure of the civic space by the Nigerian government.

Dershowitz noted two cardinal points on why terrorism works: international support (e.g., Palestinian terrorism) and local support (within the country). The Boko Haram terrorism in Nigeria is a good example of Dershowitz's points. However, terrorism (religious or political) could be derived from different factors and could be a combination of different factors, such as a personal agenda by those who want to undermine government approaches to governing the state and the unavailability of basic human amenities for a particular group, leading to discontent/marginalization. This was explained by Gurr, who noted that frustration emanating from discontentment/marginalization does not explicitly imply violence, but when it is sufficient and prolonged, it often leads to anger that de-generates into violence.

Concerning the IPOB's agitation and protests, the Government has recently ex-pressed concern and a willingness to enter into dialogue. Vice President Yemi Osibanjo (then Acting President) noted that citizens have the right to discuss their continued existence in Nigeria (Opejobi 2017). More of this approach is needed, rather than applying draconian measures to limit peaceful protests. As impossible as it looks, Nigerian politicians must now find a workable consensus that is ethnic bias-free when addressing the problems associated with insecurity in Nigeria. If ballot boxes can reach remote villages in Nigeria during elections, surely the Nigerian government could also deliver basic amenities to those villages, which would help reduce resentment and uprisings against the state.

Conclusions

Based on the findings of this study, the study proposes that the causes of the protest by the IPOB and Shiite groups can largely be attributed to the manner of response the Nigerian government has handled issues associated with the wellbeing of Nigerians. The mismanagement of Nigerian resources through corruption and the recycling of leaders based on ethnicity (irrespective of their negative track record in leadership and the state) precipitate abject poverty, culminating in insecurity, violence, and crimes. Nonetheless, the designation of the IPOB and Shiite as terrorist organizations is not significant because, first, the Terrorism (Prevention) Act 2011 is very ambiguously incoherent that the activities of the groups cannot be categorically qualified as acts of terrorism. Secondly, they have not engaged in intense and severe violent agitations (like Boko Haram) to earn them the terrorist label. Evidence shows that these groups exhibit violent traits as a response to the employment of brutal force by the government in responding to their demands. Moreover, conceptually and based on their activities, the IPOB and the Shiite are civil society groups that are demanding for accountability, equity, justice, and the rule of law through protests as provided under the Nigerian law. Rather, the labelling of these civil society groups could lead to an adverse effect to embolden the radical minds/personality, which could lead to the targeting of politicians and their families outside of the Nigerian state. In conclusion, for securitization of the IPOB/Shiite to take place, this study suggests that before these groups are proscribed or labelled as terrorists, certain conditions, such as horizontal and vertical inequalities, should be addressed first, and after these are taken into consideration, then the government can carefully adopt viable options in proscribing a group as terrorist, as proscription and labelling of groups is only when the demands of these group are practically irrational and impossible to address.

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