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AN EXPLORATION OF THE INTERFACE BETWEEN NATIONAL SECURITY AND SUSTAINABLE DEMOCRACY IN NIGERIA: THE WAY FORWARD

The maintenance of internal and external security of the state is essentially the primary duty of the government. In Nigeria, this has become imperative in the face of the myriad of threats to her national security from within and outside. Nigeria has been bedeviled by the problem of insecurity caused by armed robbery, political violence, ethno-religious conflicts, Fulani herdsmen, Boko Haram insurgents and the Niger Delta insurgency. For a country trying to nurture her evolving democracy, security threat in whatever form is antithetic to sustainable democracy.

This paper therefore, examines the elements of national security, which include but not limited to military, political, economic, and environmental security. It concludes that the myriad of security threats facing the country requires more than military force to resolve in order to achieve true national security.

The paper recommended several measures to be put in place by the government to deemphasize its absolute reliance on the military for national security; ranging from the use of other elements of national power, such as diplomacy, negotiation and law enforcement, social and economic equity to environmental justice.

Keywords: national security; democracy; causes of insecurity; insurgency, Nigeria.

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Национальная безопасность и устоявшаяся демократия в Нигерии: пути продвижения

Обеспечение внутренней и внешней безопасности государства является первоочередной обязанностью власти. В Нигерии это стало насущной необходимостью в условиях огромного количества угроз национальной безопасности страны как внутренних, так и внешних. Нигерия страдает от опасностей, вызванных вооруженными грабежами, политическим насилием, этнорелигиозными конфликтами, террористическими атаками племен скотоводов Фулани, мятежами боевиков из террористической организации «Боко Харам». Для страны, которая изо всех сил стремится идти по пути демократического развития, угроза безопасности в любой форме несовместима с понятием устойчивой демократии.

Статья посвящена анализу составляющих национальной безопасности, которые включают в себя, но не ограничиваются сферами военной, политической, экономической и экологической безопасности. Выводом исследования является то, что для достижения настоящей национальной безопасности и устранения многочисленных угроз, с которыми сталкивается страна, необходимо применение не только военной силы.

Предлагаются меры, которые должно принять правительство страны для преодоления своей полной зависимости от вооруженного разрешения проблем национальной безопасности, прежде всего с помощью таких властных инструментов, как дипломатия, переговоры, правоохранительные действия, обеспечение социального, экономического равенства и экологической справедливости.

Ключевые слова: национальная безопасность; демократия; причины опасности; мятеж; Нигерия.

Introduction. National security and public safety in Nigeria have witnessed worrisome and threatening dimension by organized forces from within and outside. These organized forces include armed robbers, kidnappers, political thugs, Fulani herdsmen, religious fanatics, Boko Haram Islamic fundamentalists and the Niger Delta insurgents. They have undermined the internal security and public safety in such a way that the corporate existence of Nigeria as one indivisible and indissoluble nation is under serious threat having regard to their modus operandi. Their mode of operation includes use of violence, bombing of targeted victims as well as innocent people, the use of Improvised Explosive Device (IED), sporadic attacks, kidnapping, propaganda and the use of suicide bombers to perpetrate their heinous activities. There is no gainsaying that these organized forces have the ability to withstand security agents and launch sporadic and spontaneous attacks at places of worship, public and private buildings, and against innocent people in order to advance their ideologies. They are unsparing and insensitive to all human feelings going by the atrocities they commit. It therefore, requires concerted efforts and extra-ordinary measures to checkmate their wicked and destructive activities in order to restore the confidence of the people in the ability of the government to provide adequate security for lives and property.

It is unfathomable that the law enforcement agencies and the military in Nigeria have so far been unable to curtail the activities of these groups¹. Following the occupation of some Local Government Areas in the northeastern states of Borno, Yobe and Adamawa, about 3,600 foreign soldiers from Nigeria's francophone neighbouring countries of Chad, Niger and Cameroon were deployed to join Nigeria in fighting Boko Haram Islamic sect². Apart from these countries, local hunters have also been involved in the fight against the insurgents³. This is in addition to the donation of the sum of 995 billion naira (approximately US\$23 million) by the US government to Nigeria to fight Boko Haram⁴. Unfortunately, despite these efforts, insecurity has left bitter experiences for Nigerians that are better imagined than felt⁵. Many people have been rendered homeless, leaving a large pool of internally displaced persons; while the where about of over 200 Chibok school-girls abducted since 2014 is still unknown⁶.

There is no doubt that the above threats have taken a great toll on Nigeria's national security. Insecurity has not only led to monumental loss of life and property⁷, it has also created a refugee crisis⁸ and contrived the present economic downturn in Nigeria due to the activities of the Niger Delta insurgents.⁹ This paper analyses the different elements of national security in Nigeria with a view to examining how they have been eroded or have contributed to the general state of insecurity in the country. The paper identifies the causes of national insecurity and explores the constitutional provisions that provide the blueprint for safeguarding Nigeria's

¹ Though the Nigerian Armed Forces and allied forces from Cameroon, Niger Republic and the Chad have recorded military successes against Boko Haram in the North East, other causes of insecurity like Kidnapping and political violence still go on unabated. For example, it has been revealed that Nigeria alone accounts for about 25% of global kidnappings episodes. See *Punch Newspaper*, Thursday October 4, 2012 p. 24.

² See *Punch Newspaper*, Thursday February 5, 2015, p.18. See also *The Punch Newspaper*, Wednesday January 14, 2015, p.12.

³ See «Villagers kill over 41 Boko Haram fighters», *Punch Newspaper*, Thursday May 15, 2014, p.12; «Thousands of Local Hunters from the North Eastern States Assembling to Embark on Expedition against Boko Haram Insurgents', *The Guardian Newspaper*, Tuesday May 20, 2014 p.1. See also Boko Haram, «Niger to Deploy Troops in Nigeria», *The Punch Newspaper*, Thursday April 17, 2014 p.2.

⁴ See *The Guardian Newspaper*, Tuesday June 16, 2015, p. 1.

⁵ Some of the negative effects of insecurity include the following: (1) Bloodbath in Jos – «150 Killed in Market Explosions», see *The Punch Newspaper*, Wednesday May 21, 2014, pp. 2 & 7; (2) «40 Killed in Fresh Borno Attacks», *The Punch Newspaper*, Thursday May 29, 2014 p. 28.

⁶ Jonathan Goodluck, «We Don't Know Where Abducted Girls Are», *The Punch Newspaper*, Monday 5, 2014, p. 2.

⁷ See *The Punch Newspaper*, Saturday, June 28, 2014, p.8 (due to the activities of the Boko Haram fundamentalists, bombing of religious and public buildings in which more than 4,000 people have been killed in the Boko Haram atrocities since 2009).

⁸ See UNHCR, «Nigeria Crisis: IOM regional assessment findings and recommendations 23 Jan – 06 Feb 2015», pp. 1–5, available at: <http://data.unhcr.org/SahelSituation/download.php?id=1104> (accessed 11th July 2016).

⁹ Freedom C. Onuoha, «The Resurgence of Militancy in Nigeria's Oil-Rich Niger Delta and the Dangers of Militarisation», Al Jazeera Center for Studies Report, 8 June 2016, pp. 1–7, available at: http://studies.aljazeera.net/mritems/Documents/2016/6/8/a3c78be9051f4d48a6dea17d654312ec_100.pdf (accessed 11 July 2016).

internal and external security, and its territorial integrity. To accomplish this task however, the paper must first begin with an exploration of the concept of national security itself. This is quickly disposed of in the next sub-heading, which equally examines the different elements of national security. Next, the paper considers the Nigerian constitutional provisions regulating the internal and external security landscape in the country, and it concludes by suggesting measures that need to be implemented to resolve the active and potential security threats in Nigeria.

Definition, Origin and Meaning of National Security. There is no single universally accepted definition of national security since the term may mean different things to different people. The concept is widely interpreted by different scholars and analysts as well as by different countries. However, national security is always discussed in the context of the ability of a nation state not only to protect its citizens from internal and external aggression but also to pursue those things that promote their welfare in an environment free from hostility. «Security» is conceived as «freedom from danger or threat to a nation»s ability to protect and develop itself, promote its cherished values and legitimate interests and enhance the well-being of its people»¹. «Internal security» is thus, seen as freedom from, or absence of those tendencies which may undermine internal cohesion and the corporate existence of the nation and its ability to maintain its vital institutions for the promotion of its core values and socio-political and economic objectives, as well as meet the legitimate aspirations of the people. According to Walter Lippmann, «a nation has security when it does not have to sacrifice its legitimate interests to avoid war, and is able, if challenged, to maintain them by war»². This tone implicitly equating coercion and national might to national security was passively upheld in the 1996 definition of the National Defence College of India, which described national security in terms of national power. It stated that: *national security is an appropriate and aggressive blend of political resilience and maturity, human resources, economic structure and capacity, technological competence, industrial base and availability of natural resources and finally the military might*³.

The US Secretary of Defense also stated in 1981 that: *national security is the ability to preserve the nation»s physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to preserve its nature, institution, and governance from disruption from outside; and to control its borders*⁴.

¹ C. Jaja Nwanegbo and Jude Odigbo, «Security and National Development in Nigeria: The Threat of Boko Haram», *International Journal of Humanities and Social Science*, (2013) Vol. 3, No 4. p. 286.

² See *Prabhakaran Paleri*, National Security Imperatives and Challenges, (New Delhi; Tata McGraw-Hill, 2008), p. 521.

³ National Defence College, «A Maritime Strategy for India», proceedings of seminar on Tuesday, January Marg, New Delhi, India, (1996). See also Osioma B.C. Nwolise, «Challenges of Sustainable Democracy in Nigeria», in O. Ojo Emmanuel, (ed.) *Challenges of Sustainable Democracy in Nigeria* (Ibadan: John Archers Publisher Limited, Nigeria, 2006), p. 348 (describing national security in terms of military might).

⁴ Brown, Harold, *Thinking about National Security: Defence and Foreign Policy in a Dangerous World*, (1983), cited in Cynthia Ann Watson, *U.S. National Security: A Reference Handbook, Contemporary World Issues* (2nd revised edition, ABC-CLIO, 2008), p. 281.

Certain common features are prevalent in the above definitions of national security. These are the ability of a country to protect its citizens, political resilience and maturity, sound economic structure, technological competence, and the ability of a country to control borders. National security has both internal and external ramifications; it is a very wide concept that touches on every facet of the survival of the state ranging from its economic, political, environmental and military safety and well-being. There is therefore, a natural link between the government of a state, the process of governance and national security. The government has the primary responsibility of maintenance of peace and security, and law and order in the state; therefore, there must be a demonstrable capacity on the part of the government to control the domestic and foreign conditions, which the public opinion of a state believes are necessary to enjoy its self-determination, autonomy or independence, prosperity and well-being¹.

The origin of the concept of national security is traceable to the peace of Westphalia, wherein the concept of a sovereign state, ruled by a sovereign became the basis of a new international order of nation states². Since a key component of national security is the freedom of a nation to pursue its core values and objectives without hindrance, anything that tried to hinder a nation from pursuing these values and objectives was seen as a common enemy that must be fought. To be able to fight the common enemy, the citizens invariably come together as a united nation so that they can harness their force for a common purpose. Hobbes³, in his treaties, described this emerging citizen-ruler contract as a mandate on the part of the rulers to ensure national security. This perception is carried over into our modern democracies. The concept of the «sovereign» is transposed to an elected President or Prime Minister who becomes the Commander-in-Chief of the armed forces of the nation state⁴, and consequently, is given enormous powers to safeguard the national security of the state. The present limit of the concept is however, a factor of the post WWII attempt of the United States to find a more suitable concept to describe the struggle of states to overcome various external and internal threats⁵. Thus, the United States has the most comprehensive architecture of national security institutions and norms than any country.

In Nigeria, although the concept of national security has received little attention in terms of formal provisions or detailed structure in the Constitution⁶, the

¹ David Bates, «Constitutional Violence», *Journal of Law and Society*, Vol. 34, Number 1, March 2007, p. 16.

² See *Robert T. David, U.S Foreign Policy and National Security: Chronology and Index for the 20th Century*, (Praeger: Security International Series, 2010), pp. XIII–XIV.

³ Thomas Hobbes, *Leviathan* (1651) cited in Kenneth Janda, Jeffrey M. Berry and Jerry Goldman, *The Challenge of Democracy: The Essentials*, (Houston: Mifflin Company, 1999), p. 4. See also John Locke, *Two Treatises of Government* (1690) cited in Janda, Berry & Goldman, *ibid*, p. 4.

⁴ See section 130(2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).

⁵ Joseph J. Romm, «Defining National Security: The Non-Military Aspect», *Pew Project on America's Task in a Changed World*, (Pew Project Council on Foreign Relations, 1993), p. 121.

⁶ See section 14(2)(b) of the 1999 Constitution, which merely provides that the security and welfare of the people shall be the primary purpose of government.

role of national security in the sustenance of Nigeria's nascent democracy cannot be overemphasized. This is amply demonstrated by the ease with which the Nigerian Supreme Court would allow the suspension of the lofty ideals enshrined in the fundamental human rights provisions of the constitution if there are any threats to the national security. Thus, in the case of *Alhaji Mujahid Dokubo-Asari v. Federal Republic of Nigeria*¹, the court reiterated as follows: *the pronouncement by the court below is that where national security is threatened or there is the real likelihood of it being threatened, human rights or the individual right of those responsible take second place. Human rights or individual rights must be suspended until the national security can be protected or well taken care of. This is not anything new. The corporate existence of Nigeria as a united, harmonious, indivisible and indissoluble sovereign nation, is certainly greater than any citizen's liberty or right. Once the security of this nation is in jeopardy and it survives in pieces rather than in peace, the individual's liberty or rights may not even exist.*

This statement captures the attitude of the Nigerian judiciary to the issue of national security, which it refuses to cordon within the sphere of military threats alone. Indeed, other elements of national security plague the survival of Nigeria even more than the threats of Boko Haram or the Niger Delta insurgencies². For instance, there are keen expectations for Nigeria to attain national food self-sufficiency, employment and adequate health as a key component of national security. This is in addition to other factors that threaten the very survival of the nation, such as the quest to achieve an equitable distribution of wealth derived from oil resources, environmental equity and justice, religious and ethnic tolerance and political integration. All these are issues that portend a serious danger for insecurity, and serve as potential catalysts for political violence and break down of law and order in Nigeria.

Elements of National Security.

1. Military Security. This is traditionally the earliest recognized form of national security. Military security is suggestive of the ability of a nation to defend itself, or deter military aggression from the outside. To achieve this, each nation establishes an armed force, which comprises the army, the navy, and the air force³. Each of these forces plays vital roles in protecting both civilians and the nation's territorial integrity. However, the security of a nation state involves not only the armed forces, but also the police force, customs, immigration, prisons, national security and civil defence corps and the entire citizenry where necessary, including vigilante groups. In Nigeria, the 1999 Constitution of the Federal Republic of Nigeria (as amended) provides for the establishment of the Armed Forces, the Police Force, Immigration, Customs, Prisons and National Security and Civil Defence Corps (NSCDC) for the purpose of ensuring national security⁴.

¹ (2007) 12 NWLR (Pt. 1048), pp. 358-359.

² Nkechi O. Anyadike, «Boko Haram and National Security Challenges in Nigeria: Causes and Solutions», *Journal of Economics and Sustainable Development*, vol. 4, No. 5, (2013), p. 14.

³ See Section 217 of the Nigerian 1999 Constitution, (establishes the Armed Forces for the Federation, which consists of an Army, a Navy and an Air Force).

⁴ Section 214 *ibid*, (provides for the establishment of the Nigeria Police Force).

The military is no doubt an essential element of the defence of any nation against external aggression. It could also be called upon in exceptional circumstances to maintain internal security in cases of declared state of emergency. In order to perform their duties effectively, the military must be adequately equipped; thus, the 1999 constitution of Nigeria specifically imposes an obligation on the Federal Government to equip the military for optimal performance of their duties¹. Other factors that enhance the effectiveness of the military include their intelligence gathering skills and knowhow, and the welfare packages available for them. In the case of Nigeria, these factors are obviously absent², which account for the poor performance of the Nigerian military against several internal threats of insurgency arising from Boko Haram³. The poor equipment of the Nigerian military is a result of years of abandonment by successive Nigerian governments and the monumental corruption that permeate the institution. Monies are either not allocated for improvement of the military at all, or the top hierarchy of the military embezzle the little allocated for that purpose. This scenario has become a recurrent decimal in the quest to equip and prepared the Nigerian military for the task of safeguarding national security. In fact, the last federal administration of Nigeria had to borrow one billion dollars for the purchase of equipment for the military to fight Boko Haram insurgents⁴; yet even this effort ended in disaster, in what is popularly known as Dasukigate⁵.

2. Political Security. Buzan, Waever, and Wilde⁶ have noted the role political security plays as an important component of national security. According to them, political security is all about the stability of the social order. It is a necessity for

¹ Section 217(2) *ibid*, provides that the federation shall subject to an Act of the National Assembly made in that behalf, equip and maintain the armed forces as may be considered adequate for the purpose of: (a) Defending Nigeria from external aggression; (b) Maintaining its territorial integrity and securing its borders from violation on land, sea, or air, and (c) Suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President.

² See The Punch Newspaper, Thursday May 22, 2014, p. 12 (quoting a statement credited to Maj. Gen. Abdullahi Muraina, Chief of Accounts and Budget, Nigerian Army, saying: «currently budgetary allocation for the military is inadequate to meet the contemporary security challenges and also cater for the welfare of the Nigerian Army»).

³ «We Asked for Better Weapons, Got Death Sentence», The Punch Newspaper, Saturday December 20, 2014 p.10; «Boko Haram: Lack of Gunships Hinders Military Operations», The Punch Newspaper, Thursday, March 6, 2014, p. 2; «Jonathan Bought Refurbished, Expired Weapons, Says FG», The Punch Newspaper, Tuesday, February 2, 2016, p. 3.

⁴ «Uproar as Senate Approves Jonathan's \$1 billion Loan Request: The Punch Newspaper, Friday, September 26, 2014, p 9; «Without Enough Funds, We Can't Fight Boko Haram-Army», The Punch Newspaper, Thursday, May 22, 2014, p. 12.

⁵ The Leader News Online, «Dasukigate: A Case of Institutionalized Corruption», Sunday, January 10, 2016, available at: <http://theleaderassumpta.com/2016/01/10/dasukigate-a-case-of-institutionalized-corruption/> (accessed 24 August 2016) (describing the \$2.1 billion arms deal scandal involving the National Security Adviser to the former President Goodluck Jonathan). See also Joe Onwukeme, «Dasukigate or Dasuki Bonanza?», available at: <http://abusidiqu.com/dasukigate-or-dasuki-bonanza-by-joe-onwukeme/> (accessed 24 August 2016).

⁶ Barry Buzan, Ole Waever, Jaap de wilde, «*Security: A new Framework for Analysis*», (Lynne Rienner publishers, 1998), p. 239

peace, development and sustainable democracy. Political instability has led to military interventions in governance in Nigeria in the past. Thus, the National Conference on stability of the Third Republic had this to say on political threats: *We are all aware of the methods that were adopted by many politicians in the First and Second Republics. Nigerians in opposing political camps saw themselves as real or battlefield enemies. Therefore, they felt there was no basis for seeing a situation in a realistic manner, but in the form of antagonism to anything done by their political opponents. This led to attempts at subverting the party in government, intimidation, kidnapping and terrorizing political opponents. In a multi-ethnically segmented society like Nigeria, with various socio-economic problems, it is quite easy for sentiments to be whipped up against any government. Thuggery, arson, sentiments, intimidations, opportunism, party fanaticism and selfishness should not be allowed in the third republic as they are threats to stability. To ensure political stability, stakeholders are expected to play the game according to the laid down principles. Anything to the contrary is an invitation to anarchy and disorderliness¹.*

3. Economic Security. It is no doubt that economic security today is as important as the military security. The creation and protection of employment opportunities through economic security is vital to national security. The problem with most African countries with respect to economic insecurity is due to bad policies, corruption, bad leadership, and mismanagement of resources. Most developing countries including Nigeria are not secure economically due to the over-dependence on foreign countries for the supply of certain goods and services. The balance of trade between the so-called countries in the northern and southern hemisphere is skewed in favour of the former, so that the economies of the latter are continuously relegated to the periphery of the world economy. For instance, Nigeria is a major oil producing country, still it relies 70 % on refined petroleum products from Western countries for its domestic use. This practice ensures that citizens of these other countries are gainfully employed and their economies booming at the expense of the developing economies. Evidence of undeveloped economy manifests itself in abject poverty, lack of employment opportunities and the dependence on foreign aid and loans for finance of major projects at very high interest rates. To achieve economic security, the 1999 Constitution of Nigeria enjoins the state to: *a) harness the resources of the nation and promote national prosperity and an efficient, dynamic and self-reliant economy; b) control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity; c) without prejudice to its right to operate or participate in areas of the economy, other than the major sectors of the economy, manage and operate the major sectors of the economy².*

It is imperative therefore, that the nation develop a blueprint at diversifying the economy to reduce overdependence on oil and guarantee economic security for the

¹ Communique of National Conference on Stability of the Third Republic held at the Nigerian Institute of International Affairs on 1st and 2nd November, 1988, p. 110.

² See section 16(1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).

nation. It is worthy of note that the provision of section 16 of the 1999 Constitution, which guarantees economic security for Nigeria is made non-justiciable¹. Therefore, these authors suggests that the National Assembly enact a new law to operationalize that provision of the constitution and give it legal backing as was decided in the case of *Attorney-General of Ondo State v. Attorney-General of the Federation and others*².

4. Environmental Security. Environmental security deals with environmental issues that threaten national security of a nation in any manner, such as pollution or any environmental hazards that is inimical to human health. Not all environmental events are considered significant to be categorized as threats to national security, although many transnational issues are likely to affect national security especially when they threaten human existence such as oil pollution in the Niger Delta areas of Nigeria. Romm³ classifies environmental issues that threaten national security to include: *a) Transnational or global environmental problems such as climate change due to global warming, deforestation and loss of biodiversity; b) Environmental or resource problems related to ownership of natural resources and degradation of the environment arising from the extractive industry.*

In Nigeria, the issue of resource control of the vast reserves of crude oil found in the Niger Delta region remains a raging subject that continues to threaten the national security of the country. The different ethnic nationalities in the region have since the 1990s agitated for control of the oil resources gotten from the region, and restoration of the environment, which have been inundated with pollution from the long years of exploitation. The most successful group has been the Ogoni people under the platform of the Movement for the Survival of the Ogoni People (MOSOP). This group has internationally prosecuted their claims under the right of indigenous peoples to their land and resources, which was reduced into the Ogoni Bill of Rights in 1990⁴. The struggle was successfully defined as an environmental issue rather than a political or economic one and the Ogonis were able to win the sympathy of international NGOs and environmentalists. However, the Niger Delta issue not only brought about environmental insecurity in Nigeria, it also quickly spiral into both political and economic insecurity for the country. The arrowhead of the struggle, Ken Saro-Wiwa was publicly executed, which brought about international ostracism of Nigeria, militarization of the struggle into an insurgency and its elevation into an international discourse deliberated at the level of the United Nations, the European Union and the Organization of African Unity now African Union.

Apart from the issue of resource control in the Niger Delta, disputes sometimes lead to heightened tension or outright conflict over water scarcity and grazing areas that sustain herdsmen's cattle (Fulani herdsmen) in the central region of Nigeria

¹ See section 6(6)(c) of the 1999 Constitution of the Federal Republic of Nigeria.

² (2002) 9 NWLR, p. 474.

³ Joseph J. Romm, *Op. cit.*, note 18, p. 122.

⁴ S.O. Aghalino, «Niger Delta Region and the Struggle for Resource Control: Implications for the Nascent Democracy», in Emmanuel O. Ojo (ed.), *Challenges of Sustainable Democracy in Nigeria*, (Ibadan: John Archers Publishers Limited, 2006), p. 303.

(Middle Belt), which lead to attacks on farmers and vice versa¹. Rise in population and dwindling availability of farmland is in fact, implicated in the Rwandan genocide as problems arising from environmental insecurity².

Nigerian Constitutional Architecture That Regulates National Security. The 1999 constitution of Nigeria places the duty of security, the maintenance of law and order and protection of lives and property within the federation squarely upon the shoulders of the federal government. This burden is not to be shared with any of the thirty-six federating units (states); thus, by implication, state governments have no significant roles to play in the maintenance of national security except providing few logistics for the police in their respective domains. Consequently, the federal government is given exclusive control of the security agencies under the constitution³. Security agencies here include the police, the armed forces, the civil defence and other paramilitary agencies. The constitution creates these agencies for the dual purpose of safeguarding both internal and external national security. In terms of the maintenance of Nigeria's sovereignty and territorial integrity, the constitution imposes the task on the Armed Forces of the Federation⁴. In addition, the Constitution establishes two purely advisory bodies, the National Defence Council and the National Security Council whose duty is to advise the President on matters relating to the defence of the sovereignty and territorial integrity of Nigeria⁵. The President is the Chairman of both Councils, while the Vice President is the Deputy Chairman. Section 154 (1) of the Constitution empowers the President to appoint ex-officio members of both Councils while the appointment of such members shall be subject to confirmation by the senate. The National Defence Council advises the President on matters relating to the defence of the sovereignty and territorial integrity of Nigeria⁶, while the National Security Council advises him on matters relating to public security including matters relating to any organization or agency established by law for ensuring the security of the Federation⁷.

As regards internal security in the sense of safeguarding lives and property in Nigeria, the Police supported by Civil Defence Corps are charged with the responsibility of securing internal security⁸. However, military forces in certain circumstances may be used to quell insurrection or riots in any part of the country where the police force is not strong enough to achieve such an onerous task⁹. Apart from

¹ «Bloodbath in Benue: Fulani Herdsmen kill 95 Women, Children Others», The Punch Newspaper, Monday March 16, 2015, p. 2.

² Jared Diamond, «Chapter 10: Malthus in Africa: Rwanda's Genocide Summary & Analysis», available at: <http://web.cecs.pdx.edu/~sheard/course/Design&Society/winter/.../Chapt10Rwanda.ppt> (accessed 24 August 2016).

³ See section 218 and Paragraph 26, Part 1, Third Schedule to the 1999 Constitution (as amended). See also Paragraphs 17 & 45 of the Exclusive Legislative List, Second Schedule, Part 1.

⁴ Section 217 of the 1999 Constitution (as amended)

⁵ See section 153(1)(g) & (k) of the 1999 Constitution (as amended).

⁶ Paragraphs 16(b) and 25(b) of Part 1 of the Third Schedules to the 1999 Constitution (as amended).

⁷ Paragraph 26 of the Third Schedule to the 1999 Constitution (as amended).

⁸ Section 214 of the 1999 Constitution (as amended).

⁹ Section 217(2) of the 1999 Constitution (as amended).

these security agencies and advisory councils, the constitution created three other security agencies with overlapping responsibilities¹. The National Security Agencies Act deals with their establishment and general duties. These three agencies, includes: a) the Defence Intelligence Agency; b) the National Intelligence Agency; and (c) the State Security Service².

1. Defence Intelligence Agency. The Defence Intelligence Agency is a national security institution embedded in the military structure of the Nigerian armed forces. The National Security Agencies Act provides the duties of Defence Intelligence Agency to include: a) the protection and detection of crime of a military nature against the security of Nigeria; b) the protection and preservation of all military classified matters concerning the security of Nigeria, both within and outside Nigeria; c) such other responsibilities affecting defence intelligence of a military nature, both within and outside Nigeria, as the President or the Chief of Defence Staff, may deem necessary³.

The Act empowers the President to appoint the principal officer of the Agency who may be known by any designation as the President so determines⁴. In terms of the duties of the Agency, although, the Act neither defined «crimes of a military nature» nor «military classified matters» within the purview of the contemplation of the Act, it appears that any violent activity of groups in Nigeria that result in mass casualties may qualify as crimes of a military nature. Thus, several violent activities, especially those perpetrated by the Boko Haram Islamic sect, the Fulani herdsmen and the Niger Delta insurgents may quite easily be classified as crimes of a military nature, which come within the purview of the functions of the Defence Intelligence Agency to investigate. Sometimes also, the strategies used by the attackers, the type of weapons deployed in executing their attacks and the mode of their operation may constitute the determinant factor of whether the acts committed are crimes of a military nature. On the second leg of the functions of the Defence Intelligence Agency and its contribution to the overall national security of Nigeria, which has to do with the «protection and preservation of all military classified matters», it is submitted that the term «military classified matters» has the same meaning as that defined in section 9 of the Official Secrets Act⁵. The section provides that «classified matters» means «any information or thing which, under any system of security classifications, from time to time, in use by or by any branch of the government, is not to be disclosed to the public and of which the disclosure to the public would be prejudicial to the security of Nigeria».

2. National Intelligence Agency. The National Intelligence Agency performs the following responsibilities with respect to the national security of Nigeria: a) *general maintenance of the security of Nigeria outside Nigeria concerning matters that*

¹ Section 153 (1)(g) and (k) of the 1999 Constitution (as amended).

² National Security Agencies Act, Cap N74. The Laws of the Federation of Nigeria, 2004.

³ Section 2(1)(a), (b) and (c) of the National Security Agencies Act.

⁴ Section 3(1) of the National Security Agencies Act.

⁵ Official Secret Act, Cap.O3, Laws of the Federation of Nigeria 2004.

are not related to military matters; b) such other responsibilities affecting national intelligence outside Nigeria as the National Defence Council or the President, as the case may be, may deem necessary¹.

The President appoints the principal officer of the National Intelligence Agency and he is answerable to him. It appears from the functions of the National Intelligence Agency that part of the responsibility of the Agency with respect to national security includes information gathering of activities of enemies of Nigeria anywhere such activities are being hatched outside Nigeria and protection of the country against foreign threats arising from espionage, terrorism and sabotage. Other functions of the Agency may include protection of the country from the activities of agents of foreign powers and from actions intended to overthrow or undermine democratic government by forces either within or outside Nigeria. In fact, it is the duty of the Agency to provide the government with intelligence signals and up-to-date information for effective security management in the country.

3. State Security Service. The State Security Service is charged with the responsibility of: a) *the prevention and detection within Nigeria of any crime against the internal security of Nigeria; b) the protection and preservation of all non-military classified matters concerning the internal security of Nigeria; c) such other responsibilities affecting internal security within Nigeria as the National Assembly or the President, as the case may be, may deem necessary*².

Causes of National Insecurity in Nigeria. To appreciate the importance of national security and its role in the sustenance of democracy, it is pertinent to identify the causes of national insecurity in Nigeria and how they can be dealt with decisively. In dealing with the causes of national insecurity, we try to look at those issues that can trigger off violence such as unemployment, poverty, religious extremism, political violence caused by election manipulation, unscrupulous government policies, and marginalization. All these factors not only threaten national security of Nigeria but also affect the corporate existence of the nation. They also undermine the drive for nation building and economic growth, and even make all efforts at entrenching a stable democracy futile. Indeed, since independence, these factors have contrived so much insecurity that has led to monumental loss of life and property and made nonsense of the sacred ideals of fundamental human rights enshrined in the constitution³. For instance, the Boko Haram insurgency alone has led to over 912,000 internally displaced persons in different camps in Nigeria⁴.

1. Unemployment. Unemployment causes poverty, which leads to social tension and national insecurity. Unemployment can be described as a condition of not having a job especially when one is available for work and perhaps seeking it. The International Labour Organization defines unemployed workers as «those who are currently not working but are willing and able to work for pay, currently available

¹ Section 2(2)(a) & (b) of the National Security Agencies Act.

² Section 2(3)(a), (b) and (c) of the National Security Agencies Act.

³ See sections 33, 34, 35, 38, 42 & 43 of the 1999 Constitution (as amended).

⁴ See UNHCR, 'Nigeria Crisis', Op. cit., note 8, p. 1.

to work, and have actually searched for work»¹. Unemployment can be distinguished from underemployment, which refers to a situation in which people work less than full time hours, which is 40 hours, but work at least 20 hours on average a week or work full time but are engaged in an activity that underutilizes their skills, time and educational qualifications².

According to the Nigerian National Bureau of Statistics³, underemployment in Nigeria increased in the fourth quarter of 2015 by 1.21 million or 9.16 percent, which resulted to an increase in the underemployment rate to 18.7 % (14.42 million persons) compared to 17.4 % (13.2 million persons) in the third quarter of last year. According to the data, there were a total of 22.45 million persons in the Nigerian labour force in the fourth quarter of 2015 that were either unemployed or underemployed compared to 20.7 million persons in the third quarter and 19.6 million persons in the second quarter of 2015.

Unemployment can result in economic inequality and impair economic growth, not only because it is a waste of human resources but also because it generates redistributive pressures and subsequent distortions, drives people to poverty, constrains liquidity, limits labour mobility, and erodes self-esteem, promoting social dislocation, unrest and conflict⁴. A high level of unemployment is capable of causing civil unrest, in some cases leading to revolution. Indeed, it produces an army of jobless and restless youths who become idle hands in the devil's workshop. For instance, the league of thugs, kidnappers, assassins and political jobbers in successive Nigerian elections has always been sourced from the pool of unemployed youths in the country. This perhaps explains why Boko Haram was able to offer \$3,000 to some Nigerian youths to lure them to join the sect against Nigeria⁵. One reason they gave for joining them was that they had no job. Unemployment evidently has an adverse effect on the national security of any country because it directly corresponds with the crime rate in the society.

¹ ILO, Resolution Concerning Statistics of Work, Employment and Labour Underutilization, 19th International Conference of Labour Statisticians, Geneva, 2013), available at: http://www.ilo.org/global/statistics-anddatabases/standards-and-guidelines/resolutions-adoptedby-international-conferences-of-labourstatisticians/WCMS_230304/lang-en/index.htm. (accessed 25 August 2016).

² See ILO Resolution concerning the measurement of underemployment and inadequate employment situations, adopted by the Sixteenth International Conference of Labour Statisticians, 1998, available at: http://www.ilo.org/wcmsp5/groups/public/_dgreports/_stat/documents/normativeinstrument/wcms_087487.pdf (accessed 24 August 2016). See also David Byrne and Eric Strobl, «Defining Unemployment in Developing Countries: The Case of Trinidad and Tobago», Centre for Research in Economic Development and International Trade Research Paper, No> 01/09, University of Nottingham, 2009, pp. 4–15.

³ National Bureau of Statistics (NBS), Unemployment/Underemployment Report in Q4 2015, available at: <http://www.nigerianstat.gov.ng/report/375> (accessed on 30 March, 2016).

⁴ See David Castells-Quintana & Vicente Royuela, «Unemployment and Long Run Economic Growth: The Role of Income Inequality and Urbanization», *Investigaciones Regionales*, 24 (2012), pp.156-157, available at: http://www.aecr.org/images/ImatgesArticles/2012/12/7_David_Castells_Quintana,_Vicente_Royuela.pdf (accessed on March 9, 2016).

⁵ See New Telegraph Newspaper, Wednesday April 23, 2014, p. 4.

To solve the problem of unemployment in Nigeria, efforts must be made at all levels of government to create jobs and expand opportunities to empower the youths. Nigeria is blessed with abundant natural resources, which if tapped, could generate millions of jobs for the youths. However, government alone cannot create all the jobs needed in the country; the private sector must be ready to drive the process, as both economic growth and development are now private sector driven in many countries.

2. Poverty. Poverty refers to the condition of having insufficient resources or income¹. It is described in various forms such as extreme or absolute poverty, relative poverty, and material poverty². Extreme poverty can cause terrible suffering with the attendant inability to provide the material needs for physical subsistence and protection of human dignity. These material needs are food, clothing, shelter, health and basic education. Most people that suffer from absolute poverty do not have regular incomes because of joblessness. Relative poverty on the other hand, occurs when certain sections of the society are unable to satisfy their basic needs as well as other pressing needs³. Material poverty could result from absence of ownership, and control of physical assets such as lands, or other resources derived from it. Poverty could also be spatial, such as rural poverty and urban poverty⁴.

Reasons for poverty are not clear. Some people believe that poverty is as a result of lack of adequate resources on a global level because resources such as land, food, and building materials that are necessary for the well-being or survival of the world's population are either not sufficient or beyond the reach of the common man⁵. Others scholars however, see poverty as an effect of the uneven distribution of resources around the world for the overall benefit of mankind⁶. This second explanation resonates better with the Nigerian situation because majority of Nigerians live in abject poverty while a few politicians enjoy a life of luxury. Massive governmental corruption and mismanagement of resources is to be blamed for this unfortunate state of poverty in Nigeria. Indeed, the general condition of living of the ordinary citizen in Nigeria is demeaning despite the fact of the abundant natural resources with which the country is blessed. The World Bank lists Nigeria among the poorest countries of the world, which include India, China, Bangladesh and the Democratic Republic of Congo⁷.

¹ Benjamin Aigbe Okonofua, «Poverty and Welfare Policy: Law and Social Policy Legislation and Administration in Nigeria», in Patrick E. Igbonovia, Benjamin A. Okonofua and Omoruyi Osunde (eds.), *Sociology and Anthropology*, (University of Benin, Benin City, Nigeria 2008), p. 181.

² See Azalahu F. Akwara, Ngozi F. Akwara, John Enwuchola, Morufu Adekunle and Joseph E. Udaw, «Unemployment and Poverty: Implication of National Security and Good Governance in Nigeria», *International Journal of Public Administration and Management Research*, Vol. 2, No. 1, October, 2013, p. 4.

³ Okonofua, *Op. cit.*, note 61, p. 181.

⁴ Akwara, et al, *Op. cit.*, note 62, p. 4.

⁵ Okonofua, *Op. cit.*, note 61, p. 182

⁶ A. Gilbert and J. Gugler, *Cities, Poverty and Development*, (Oxford Univ. Press, London, 1982), p. 45.

⁷ See World Bank, «Poverty Data: A Supplement of World Development Indicators 2008», available at: <http://siteresources.worldbank.org/DATASTATISTICS/Resources/WDI08supplement1216.pdf> (accessed 24 August 2016).

The effect of poverty on national security is enormous. First, national security is better achieved where the citizens believe that government is genuinely committed to the promotion of their welfare in all its programmes and policy formulation as they affect them. This must involve the government being responsible and accountable to the people that surrender their original sovereignty to the rulers. Therefore, the exercise of governmental powers at all levels must be for the benefit of the citizenry because it is very easy to manipulate someone stricken by poverty. A country where 71 % of its citizens live below the poverty line¹ is certainly far from being politically stable because the people will follow who ever promises them a better life and future, even if this requires them to revolt and carry arms against the government of the day.

Secondly, research has shown that poverty leads people to commit acts of violence and other crimes². It also arouses anger, desperation and inordinate urge for money, shelter and other necessities of life. When a man is overwhelmed by extreme poverty, accepting whatever comes his way becomes the only option regardless of whether it is reasonable or not. Poverty therefore, is capable of increasing the crime rate in any society. This is the more reason why poor people who have no prospect of livelihood are easily susceptible to violent activities and criminal tendencies. Bridging the wide gap between the rich and the poor becomes the only inevitable option for government to take through conscious efforts to provide equal opportunities for all its citizens without any form of discrimination.

3. Religious Extremism. The threat from religious extremism in Nigeria clearly portends danger for the unity and oneness of the country. This danger arises as a result of one religion claiming superiority and trying to assert dominance over other religions. This is usually done in a subtle manner affecting state institutions and the mode of representation of the federal character. It is even easier to accomplish the task of institutionalizing religious bigotry in the fiber of the polity if elected public officers see themselves as representative of particular religions. In the past, Nigeria experienced several religious crises that had claimed many lives and property. The latest of these, which is still raging on, in form of an insurgency is the Boko Haram Islamist extremist agenda. The Boko Haram sect, apart from claiming that «Western education is forbidden», also regards its members as «people committed to the propagation of the prophet's teachings and jihad»³. The group seems to be destructive with a cosmetic pretension for being religious; it has carried out series

¹ The utilization of at least one dollar or above a day is considered sufficient to keep a person above the poverty line. See World Resources Institute, «Earth Trends», (environmental resource portal), available at: <http://earthtrends.wri.org/povlinks/country/nigeria.php> (accessed 31 August 2016) (noting that about 71 percent of Nigerians live on less than \$1 a day and about 92 percent live on less than \$2 a day). See generally, Chimobi Ucha, «Poverty in Nigeria: Some Dimensions and Contributing Factors», *Global Majority E-Journal*, Vol. 1, No. 1 (June 2010), p. 48.

² Jehovah's Witness, «Will Violence Ever End», *Awake* (2012), p.14. See also S.O. Akande, and O. B. Okuwa, «Empowering Nigerian Youths for the 21st Century», *NISER Occasional Paper No.3*, NISER, Ibadan, Nigeria, (2009), p. 18.

³ Nwanegbo & Odigbo, *Op. cit.*, note 10, p. 289.

of attacks on Christian religious centers, government buildings, as well as private individual property.

Religious extremism negates the provisions of the 1999 Constitution, which guarantees the right to freedom of thought, conscience and religion¹. In addition, Nigeria is a secular nation, which favors no religion². Therefore, any attempt by a religious group to cause religious crisis will only succeed in widening the gap of insecurity in Nigeria which may undermine the existence of the nation.

4. Political Violence. Political instability has a direct bearing on Nigeria's quest of maintaining peace and stability in all sectors and national unity. Apart from other challenges such as the issue of poor governance and leadership failure engendered by high level of corruption, political violence appears to have assumed worrisome and threatening dimension in Nigeria politics. The reason for this is that political offices in Nigeria starting from the primary election at the party level to the general election are highly contested, not only because of the benefits and respect that are attached to them, but also because of diversity and some vested interests within the country.

Consequently, the very competitive and ethnically charged nature of our politics, particularly at the highest levels (control of the federal and the state governments) makes political stability to be a difficult task. To achieve their inordinate ambition to occupy a particular office, politicians are often at the trail of their perceived political opponents even to the point of total extermination. Thuggery becomes a veritable weapon for rigging election, which is accompanied by ballot stuffing, ballot snatching and falsification of election result.

Political violence in Nigeria takes different forms ranging from pre-election to post-election violence. Pre-election violence takes the form of attack on the political opponents during electioneering campaigns which sometime results in loss of lives, destruction of campaign vehicles and property of innocent citizens. Politicians resort to pre-election violence not only to create fear and intimidate their opponents but also to scare away the electorates and prevent them from casting their vote in favor of the opponent. Post-election violence on the other hand, occurs after the results of election are announced and the supporters of a political party feel that their candidate has lost because the other party has rigged the election. To vent their anger, supporters of candidates that lost elections stage violent protests and demonstrations, such as those that were witnessed in the Northern part of Nigeria as a fall-out to the 2011 presidential election, which led to massive loss of life and property running into millions of dollars³.

The apparent apprehension of a similar occurrence after the 2015 general election led to the signing of a peace agreement among the major stakeholders at the

¹ Section 38(1) of the 1999 Constitution (as amended).

² Section 10 of the 1999 Constitution (as amended).

³ See Bekoe D. «Nigeria's 2011 Elections: Best Run, but Most Violent» (2011) Washington, DC: United States Institute of Peace, available at <http://www.usip.org/sites/default/files/PB%20103.pdf> (accessed 19 January 2016). See also Federal Republic of Nigeria, «Main Report of the Federal Government Investigative Panel on 2011 Election Violence and Civil Disturbances», vol.2, para. 1.31 at 16.

federal and state levels as a way of ensuring that there is no violence after election¹. This step is a welcome development and is commendable. However, signing of peace accord by politicians is not enough to guarantee peace after elections. What can give the winners legitimacy and make the losers to be gallant in defeat is a credible electoral process, which is transparent to all. Anything that falls below the accepted standard would most likely lead to anarchy and the breakdown of law and order.

Political violence can result in election apathy, as people would not want to risk their lives going out to cast their votes for fear of attack from political thugs. Another consequence of political violence is the possible widespread protest that may truncate the democratic process when there is breakdown of law and order. Politicians must therefore, play the game of politics according to the laid down rules.

Conclusion. The idea of national security as it is understood today comprises of military, economic, political, environmental and other variables, which make life more meaningful to people and guarantee patriotism, commitment to sustenance of the system and development of the ideals of the state. Military security is of paramount importance to national security, but it is not sufficient to guarantee peace and tranquility in the face of abject poverty, unemployment, political violence and intimidation by unscrupulous elements in the society. For national security to be realized, government must strive to improve the standard of security forces, provide equal opportunity for the unemployed youths to realize their potentials, bridge the wide gap between the rich and the poor, while politicians must put the interest of the country above their personal interest by adhering strictly to the rules of politics. The fact remains that causes of insecurity in Nigeria such as ethno-religious sentiments, political violence, Boko Haram insurgency, Fulani herdsmen and the Niger Delta crisis must be cautiously dealt with using every apparatus of national power, including military, diplomacy, economic, political and legal norms and policies. Since sustenance of democracy is largely dependent on the attainment of peace and tranquility, promotion of unity and co-existence among the citizens, government must do everything possible within its power to ensure that citizens' interests form part of the policy thrust of the state. When the people are happy and able to meet their needs, the nation will be truly secured and the task of nation-building and sustainable democracy would be easily be achieved.²

Recommendations. In order to ensure national security and sustainable democracy in Nigeria, we recommend the following:

- a) That every citizen of Nigeria must be patriotic and uphold the ideals of unity,

¹ See Mutual Agreement to undertake and support peaceful campaigns, signed by President Goodluck Jonathan of the ruling Peoples' Democratic Party (PDP) and Major-General Muhammadu Buhari of the opposition All Progressives Congress (APC), «Abuja Accord: On the Prevention of Violence and Acceptance of Election Results by Presidential Candidates and Chairpersons of Political Parties Contesting the 2015 General Elections». Available at www.kofiannanfoundation.org/sites/default/files/abuja_accord_january_2015-1.pdf (accessed 22 January 2016) (The agreement was brokered by former Secretary-General of the United Nations, Kofi Annan and former Secretary-General of the Commonwealth, Chief Emeka Anyaoku).

² Nwolise, Op. cit., note 12, p. 354.

harmony and the indivisibility of sovereign nation of Nigeria. This is realizable if government is recommitted to providing a decent means of livelihood for the poor and tackle unemployment without religious or ethnic sentiments;

b) That the Nigerian military infrastructure be upgraded to international standard in order to enable the military fight the type of modern insurgencies, which are driven by global forces such as the wind of global Islamic extremism and the proliferation of both light and heavy weaponry;

c) That Nigerian politicians must be recommitted to the Nigerian project, which is the sustenance of democracy and good governance. Politicians must not over charge the polity, especially during general elections; they must reject and refuse to indulge in political thuggery, assassinations, keeping of militias and intimidation political opponents. These practices do not guarantee Nigeria's national security;

d) That the tide of illegal immigration of foreigners into Nigeria must be cut off. Porous borders, especially in the Northern parts of the country must be fortified because the Boko Haram insurgency for instance thrives on the unchecked black arms market that flourishes across at the borders¹. The huge numbers of arms in Nigeria is only an attestation of the thriving black arms market, which spells danger for the national security of Nigeria²;

f) Lastly, government must strive to eradicate illiteracy among the youths who are seen as the veritable tool in the hands of the politicians for election violence.

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¹ See The Punch Newspaper, Monday, April 14, 2014, p. 20 (noting that Nigeria has 1,400 illegal borders).

² See for instance the huge display of arms as exhibit in an armed robbery case at the premises of the High Court in Anambra State of Nigeria, which consisted of AK-47 rifles, general purpose machine guns, rockets, rocket propellers/launchers, 5,830 pieces of AK-47 ammunition and 1,135 rounds of ammunition for GPMG rifles. See The Punch Newspaper, Thursday April 24, 2014, p. 9.

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Національна безпека і стала демократія в Нігерії: шляхи просування

Забезпечення внутрішньої і зовнішньої безпеки держави є найпершим обов'язком влади. У Нігерії це стало загальною потребою в умовах величезної кількості загроз національній безпеці країни зсередини та ззовні. Нігерія потерпає від небезпек, спричинених озброєними пограбуваннями, політичним насиллям, етнорелігійними конфліктами, терористичними атаками племен скотарів Фулані, заколотами бойовиків з терористичної організації «Боко Харам». Для країни, яка щосили прагне йти шляхом демократичного розвитку, загроза безпеки у будь-якій формі несумісна з поняттям стійкої демократії.

Статтю присвячено аналізу складових національної безпеки, що включають у себе, але не обмежуються сферами воєнної, політичної, економічної та екологічної безпеки. Висновком дослідження є те, що для досягнення реальної національної безпеки та усунення численних загроз, з якими стикається країна, необхідне застосування не лише воєнної сили.

Пропонуються заходи, яких має вжити уряд країни для послаблення своєї повної залежності від збройного вирішення проблем національної безпеки, насамперед за допомогою таких владних інструментів, як дипломатія, перемовини, правоохоронні дії, забезпечення соціальної й економічної рівності та екологічної справедливості.

Ключові слова: національна безпека; демократія; причини небезпеки; заколот; Нігерія.

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