



ABSTRACT

Social vices such as kidnapping, abduction and insurgency are rampant criminal activities, problems which still defile police and military solutions in the North-East of Nigeria. These criminal activities have raised serious security concerns which are seen largely as internal problems expected to be solved by the police responsible for maintenance of internal security, peace and order of the country. Yet, the combined team of the Nigeria Police Force and other Armed Forces in the country are still struggling to release the country, and particularly, the North-East from the

TACKLING INSECURITY IN THE NORTH-EAST OF NIGERIA: COLLABORATIVE ROLE OF YOUTHS AND POLICE IN CRIME DETECTION AND HUMAN RIGHTS PROTECTION.

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Introduction

The insurgents' activities of a jihadist group known as "Boko Haram" in the night of 14th April, 2014 resulted in the kidnapping of 276 girls from a boarding school at Chibok, a community in Borno State, North East of Nigeria. The kidnapping incident woke up and appalled the sleeping Chibok Community, struck Nigeria as a Country into a devastating state of insecurity and sparked outrage which reverberated across the globe. Since that ugly kidnapping incident at Chibok, most of the bad stories in the air have been that of incessant kidnapping, banditry, and murderous crimes occasioning a high feeling of insecurity in the North-East of Nigeria. The negative effects of these social vices are yet to be properly indentified and fully accounted for, on all facets of the economy in the region. Evidently, North East Region of Nigeria has suffered great losses in terms of human lives, and property due to the problems of insurgency and insecurity. Many factors have been advanced as being responsible for these criminal activities in the region; even as stakeholders in the security sub-sector are making efforts to control the wave of the heinous crimes in the region. So far statutory and institutional control measures applied have not yielded the desired result which is the return of peace and security to the people. In fact, insurgents, kidnappers and bandits are still having a field day in the region and insecurity is yet to end. It is against this backdrop that this paper sets out to trace the causes and effects of insecurity; pin-point and recommends collaborative roles youths and police could play in the fight against the menace in the region. It is hoped that with youths



grips of kidnapers, abductors, bandits and insurgents. It is noticed in the midst of havoc and insecurity perpetrated by criminals that little or no collaboration exists between the police and local stakeholders, including organized youths' groups in the fight against insecurity; and this is part of the reasons why the problem persists in the North-East Region. There is a significant gap existing in the relationship between the police and local communities' youths in the fight against insecurity. This has led to non-supply of intelligence from the local communities' dwellers; intelligence which would have been necessary for the police to successfully fight insecurity in the region. This paper therefore seeks to look at the immediate and remote causes, as well as the effect of insecurity the North-East Region. To that extent, the paper looks also at the statutory and institutional measures put in place against kidnapping, abduction and banditry including insecurity in the region. To this end, the paper adopts the method of doctrinalism and qualitative research style in analyzing concepts within its thematic coverage. The paper explains and recommends some of the strategic areas the police and youths' vigilante groups can play joint roles to fight insecurity. It is expected that the joint efforts of the local Communities' stakeholders, including youths' groups would help to protect human rights thoughtlessly abused and restore security to the region.

Keywords: Insecurity, North-East, Nigeria, Youths, Police, Crime Detection, Human Rights Protection.

and police collaboration, including the support of other critical stakeholders, peace and security would be restored in the North-East Region for sustained economic growth and development.

Aim and Objectives of the Paper

This paper aimed at explaining the recent crimes inducing insecurity in the North-East of Nigeria. To that extent, the paper seeks to fulfill the following objectives:

- i. Highlighting of the causes and effect of insecurity in the region
- ii. Explanation of statutory and institutional measures put in place against kidnapping, abduction and other crimes causing insecurity in the region.
- iii. Explanation of collaborative roles of police and communities' youths' groups in the fight against insecurity and protection of human rights of the people.

Methodology

Qualitative research style is adopted in this paper. The style enables the paper to use words in context in long essay method in the preparation of its topical issues. Besides, the paper also uses the methodology of doctrinalism to dig into concepts and principles and explain their meanings in a manner that suits and aligns with context and purpose of this paper. In all, the paper relies on statutes, judicial precedents and internet materials to develop its themes; and makes recommendations for effective police and youths' collaboration against insecurity.



Conceptual Clarification

Terms used in this paper may lend themselves to different meanings, and as such, it becomes imperative to clarify and contextualize the terms and concepts for proper understanding of the issues within the thematic configuration of this paper.

(i) Kidnapping

Kidnapping is apparently a criminal act which is committed repeatedly in the North-East of Nigeria in recent times. It is the crime of seizing and taking away a person by force or fraud.¹ Broadly put, the crime involves carrying a person away, without his consent by means of force, threats, or fraud.² At common law, kidnapping as a crime overlaps with the offences of child abduction and false imprisonment.³ The crime of kidnapping has also been defined and codified in statutes. Section 271 of the Penal Code of Northern Nigeria defines the crime as follows:

whoever takes or entices any person, under fourteen years of age, if a male or under sixteen years of age, if a female, or any person of unsound mind out of the keeping of the lawful guardian of such person without the consent of such guardian or conveys any such person beyond the limit of the state without the consent of someone legally authorized to consent to such removal, is said to kidnap such person.

The application of strict construction of section 271 of the Penal Code cited and reproduced above, appears to exclude male persons who are above fourteen years of age and female persons who are above sixteen years of age from being capable of being kidnapped. The section also appears to exclude persons not being of unsound mind from being kidnapped. This means that if a person is not within the category of persons set out under section 271 of the Penal Code, he or she cannot be said to have been kidnapped. Kidnapping therefore, is an offence against the vulnerable persons such as, persons of an unsound mind, male persons who are below the age of fourteen (14) and female persons below the age of sixteen (16). Three categories of persons are involved as possible victims of the offence of kidnapping namely: (i) Female persons under the age of 16 years. (ii) Male persons under the age of 14 years. (iii) Persons of unsound mind, whether below or above ages of 16 and 14 years stated above. It is stated however, that the random and repeated occurrence of kidnapping in Nigeria today; and particularly North-East of the Country may be responsible for the confusion in the understanding held by people regarding kidnapping and abduction. To resolve this confusion, section 272 of the Penal Code further provides of abduction as follows: "whoever by force compels or by any deceitful means induces any person to go from any place is said to abduct the person". Thus, the seeming narrow definition of the offence of kidnapping under section 271 of the Code regarding the scope of victims likely to be affected has been expanded by the definition of the offence of abduction under section 272 of the Code. This means, if one escapes the offence of kidnapping because of the narrow technical

¹ Garner, B.A. Blacks Law Dictionary (8th edn)(Minoseta, USA: Thomson West Publishing Co., 1990), p. 886.

² Martin, E.A. & Law J. (eds.) Oxford Dictionary of Law (6th edn) (Great Clarendon Street, Oxford: Oxford University, 2006), p. 304

³ Ibid.



meaning given to the offence under the Code, he may not escape the crime of abduction under section 272 of the Code which involves “any person” as a possible victim. To this end, some of the persons said to have been kidnapped are not legally being kidnapped, they are abducted. In this paper, these crimes are taken and discussed together as part of the social vices negatively affecting the North-East of Nigeria. That said, section 273 of the Penal Code provides punishment for kidnapping or abduction as follows: “whoever kidnaps or abducts a person shall be punished with imprisonment for a term which may extend to ten years and shall also be liable to fine”.

Kidnapping in the North-East Region ranges from simple kidnapping (kidnapping without aggravating factors) to aggravated kidnapping. Aggravated kidnapping is accompanied by some worsening factors such as demand for ransom from, or injury to, or death of the victim involved. In most cases, aggravated kidnapping is what is experienced, and the pains are terrible. This therefore, has prompted some states in Nigeria to enact new laws to provide harder punishment against offenders in order to institute some deterrence across the society against further commission of the offence. Some states in the country are of the view that the punishment of ten years imprisonment and fine provided both under the Penal Code and Criminal Code are inadequate; given the severity of the offences. For example, Akwa Ibom state has made the “Akwa Ibom State Internal Security and Enforcement Law, 2009.” This law provides for death penalty against kidnapping. For attempt to kidnap, the law provides the punishment of life imprisonment. It also provides 21 years imprisonment against any person found to have assisted another to escape punishment for kidnapping or terrorism. Recently, the National Assembly of Nigeria also considered a Bill titled: “Abduction, Wrongful Restraints and Confinement Bill, 2021”. The Bill provides for life imprisonment against kidnapping where death of the victim is involved. It also provides for 30 years imprisonment against the offence of receiving of proceeds of kidnapping.

(ii) Banditry

According to Wikipedia, banditry is an organized crime committed by outlaws through the use of threat or violence.⁴ Persons who engage in banditry are called bandits. A bandit commits crimes which include “extortion, robbery and murder, either as an individual or in groups.⁵ Banditry may therefore be akin to gangsterism, brigandage, marauding and thievery,⁶ or plunder. Armed banditry is connected with armed robbery, murder, rape and cattle-rustling in the North-East of Nigeria.

(iii) Insurgency

This entails an attempt by a group of people to take control of their own country’s government, using force and violence.⁷ It is a state of revolt against constituted authority by rebels.⁸ It has also been defined as an organized movement aimed at the over throw of a

⁴ Wikipedia, “Banditry”, <https://en.m.wikipedia.org/wiki/Banditry>. Accessed on 22nd June, 2022.

⁵ Ibid.

⁶ Ibid.

⁷ Longman, Dictionary of Contemporary English (new edn) (London: Pearson Educational Ltd, 2007), (p.915). <https://www.idoconline.com/inscur...> Accessed on 22nd June, 2022.

⁸ Martin, E.A. & Law J. (eds.) opcit. P. 280.



constituted government through the use of subversion and armed conflicts.⁹ The Counter-insurgency Initiative equally defines insurgency as the organized use of subversion and violence to seize, nullify, or challenge political control of a region.¹⁰ Thus, the activities of the group known as “Boko Haram” are akin to insurgency; since the group deploys brute force, armed struggle and violence to challenge authority to hoist its flag as a mark of taking over of the North-East of Nigeria. Insurgency is also an act recognized and frowned at under the Constitution in Nigeria. Under section 33(2) of the Constitution of the Federal Republic of Nigeria, 1999 as amended, the Law Enforcement Officers with application of reasonable force may lawfully kill a person for the purpose of suppressing insurgency which may be seen to be akin to rebellion, insurrection or mutiny.

(iv) Insecurity

Insecurity is a resultant state of affair culminated in by the discomfoting effect of kidnapping, banditry and insurgency perpetrated by criminal elements in Nigeria; and in the North-East in particular. Relying on the view of Boland, the two-some of Ndubuisi-Okolo and Anigbuogu maintain that insecurity is the state of fear or anxiety stemming from concrete or alleged lack of protections.¹¹ It is a negation of security in the society. Security is what is needed for civilized human existence. In the words of the United Nations Development Programme (UNDP), security is a protection from hidden hurtful disruptions in daily activities at homes, offices and communities.¹² Insecurity is therefore a terrible feeling of exposure in persons to danger or threat of danger which results from lack of protection from kidnappers’, bandits’ and insurgents’ activities, to define the concept in the context of this paper. It is a situation of feeble and undependable security architecture which exposes persons’ lives and property to serious jeopardy.

North East Region of Nigeria

The North-East Region of Nigeria is arguably becoming the theatre of heinous criminalities which include kidnapping, banditry, insurgency and insecurity. The region comprises Adamawa, Bauchi, Gombe, Taraba and Yobe States; with a total of 117 Local Government Areas. The people of the region who are mainly Fulanis, Hausas and Kanuris by ethnic extractions depend largely on subsistent farming and mining of solid minerals as means of livelihood. The agrarian nature and mining potentials of the region are under-tapped. According to the 2006 population census, the population of people in the region is estimated at 18,984,299 out of the total population of 140,431,790 people in Nigeria.¹³

⁹ Adedire, S.A., Ake, M. & Olowojolu, O. citing Haviland in “Combating Terrorism and Insurgency in Nigeria: An International Collaboration against Boko Haram”, Fountain University Journal of Management and Social Sciences (2016), Vol. 5 No.1(sp.edn), p.61

¹⁰ Ibid.

¹¹ Ndubuisi-Okolo, P.U. & Anigbuogu, T. “Insecurity in Nigeria: The Implication for Industrialization and Sustainable Development,” International Journal of Research in Business Studies and Management (2019) vol. 6, ISS. 5, p. 9.

¹² United Nations Development Programme (UNDP), Accelerating Development Investment in Famine Response and Prevention: A Case Study of North-East, Nigeria. <https://www.undp.org/>>library>. Accessed on 11th July, 2021.

¹³ Nyako, A.M “Concept Note, North-East Development Commission.” En.m.wikipedia.org. Accessed on 11th July, 2020.



This means that 13.52% of the total population of the Country live in the North-East Region.¹⁴ The land mass of the region is also calculated and estimated to be 272,395km², that is 29.45% of the total area of land mass of Nigeria.¹⁵ The population of people in the region might have increased by now, since 2006 population census. The Region existed with appreciable peace and security, carrying on with its agrarian production, until recently, kidnappers, bandits and insurgents turn the area into a state of huge insecurity, where they destroy human lives and property thoughtlessly.

Causative Factors of Insecurity in the North-East of Nigeria

The factors responsible for kidnapping, banditry, insurgency and huge insecurity in the North-East of Nigeria can be discussed in two perspectives, to wit; immediate and remote causes of the insecurity.

(i) Immediate Causes

The activities of the group called, Boko Haram, translated as “western education is a sin” are partly responsible for the conflict and insecurity engulfing the North-East of Nigeria today. The group adopts brute force and violent means to challenge constituted authority with the aim of establishing an Islamic Caliphate which they believe shall be run on Sharia law. To the group, the present political authority is corrupt and its laws are mundane, and as such, it needs to be over-thrown. According to Sani, cited by Adeyeye, et al Boko Haram group holds the philosophy that the system of banking, taxation and legal system should be discarded because they are contrary to the principle of Allah.¹⁶ Thus, the group’s level of armed struggle increased and worsened as from the moment its leader, Mohammed Yusuf was killed by Nigerian Government Forces during a certain armed confrontation with the group in the year, 2009.

The group is using the methods of kidnapping of school children, bombardment of mosques, churches, markets and public facilities to register its rebellious effect. The kidnapping of school girls at Chibok Community in Borno State is still fresh in our memory. Some of the girls are still in captivity today. In fact, Adeyeye, et al, write that traceable in the North-East of Nigeria to the Boko Haram group are the predominant threat and security challenges of unabated attacks on Nigerians, as well as public and governmental installations, kidnapping and destruction of properties.¹⁷ From the view point of the United Nations Development Programme (UNDP), the immediate causes of insecurity in the region can be summarized as follows:

*Destructive activities of Boko Haram insurgency, terrorist attacks on civilian populations, military actions and exacerbation of pre-existing conflicts.*¹⁸

¹⁴ Ibid.

¹⁵ Mayomi, K. “Mapping and Creation of Database for Analysis of the North-East Population Distribution in Nigeria”, Journal of Geography (2014) Vol. 1, No. 1. www.researchjpmali.com. Accessed on 11th July, 2021.

¹⁶ Omodunbi, O.O., Adeyeye, A.A. & Ige, R.A ‘Citing Sani in “Boko Haram Insurgency in Nigeria; Advancing Policy options for a lasting Solution. AUDRI, Vol. 14, No. 1 (2021). Accessed on 24th June, 2022. <https://dg.univ-danius.co>article:>

¹⁷ Ibid.

¹⁸ United Nations Development Programme (UNDP), Op cit.



It is to be added also that activities of bandit groups, gangs and militants contribute to insecurity in the North-East of Nigeria. Activities of bandits include kidnapping, arson, shooting, raping, cattle rustling, killing and looting;¹⁹ all these subject the North-East under a huge yoke of insecurity.

(ii) Remote Causes

Some of the immediate causes of insecurity in the North-East of Nigeria have been discussed above. There exist, however, some remote causes that are also responsible for the conflict and insecurity in the region. These causes can be summarized from the perspective UNDP as follows:

*Deep social and economic development disparities in the North-east compared to the other regions in the country; deep scale poverty of the region; weak governmental institutions, including security system in the region; high level of illiteracy resulting in low human capital; weak economic production; and over-dependence on subsistent agriculture.*²⁰

The category of causes raised above may also include factors such as porous borders allowing inflow of militants, bandits and jihad-believing people outside Nigeria who infiltrate and foment trouble in the region. Other factors are joblessness among the people; and wrong perception and interpretation of religion by illiterate and uneducated youths who are easily being conscripted into rebellious groups seeking to enthrone a caliphate based on Islamic theocracy through violence means. Besides, joblessness and poverty may be emphasized as being factors remotely responsible for rampant kidnapping for ransom among the youths. Perhaps, insecurity persist in the North-East Nigeria partly because of non supply of intelligence to the police by the local communities' youths who know the interior ends of their local villages, including the forests which now become criminal dens for kidnappers and bandits.

Furthermore, lack of police security in the interior villages in North-East of Nigeria creates ungoverned and unsecured spaces for crimes to thrive. Thus, criminals sometimes gain the audacity to sack villages that exist in the interior part of the region without presence of police security. Easy access to small, light and dangerous weapon. Kidnappers and bandits appear to procure arms and ammunition easily without effective checks. They use these weapons to maim, kidnap, rob, rape or kill their victims. Existence of relationship gap between police and communities youths in the fight against crimes is also responsible for the reign of crimes in the region. The relationship between the police and youths is weak; and this weakness is not allowing effective performance of collaborative roles between the police and youths in the fight against insecurity in the region. Most times, the police struggle alone with small number and obsolete equipment, working and fighting to restore security and the youths supply no input. This approach is not always yielding the desired result.

¹⁹ Akinyemi T.S. citing ACAPS in "Banditry in Nigeria: Insights from Situational Action and Situational Crime Prevention Theories." <https://www.accord.sa>banditr>. Accessed on 24th June, 2022.

²⁰ United Nations Development Programme (UNDP), Opcit.



Effect of Crimes-induced Insecurity in the North-East of Nigeria.

The crimes involved in this discourse are kidnapping, abduction, banditry, insurgency and consequential offences which include destruction of lives and property of the people. These crimes occasion huge insecurity. Thus, effects of the crimes among the people of North-East of Nigeria are numerous and can be summarized as follows:

- i. Death, rape, maiming and displacement of persons. It has been reported by UNDP that the North-East of Nigeria's conflict with Islamist insurgencies had killed nearly 350,000 people as at the end of 2020.²¹ It is also added that if the conflict continues to 2030, more than 1.1 million people may die.²² Besides, the number of internally displaced persons as at January, 2021 stood at 2,035, 232.²³ These numbers might have increased with time, as insurgents and kidnappers are still posing a serious threat to human lives in the region. There is no need emphasizing the fact that people who died as a result these criminal activities include security operatives, civilians including babies. Recently, kidnapping incidents had been reported in communities at Toro and Alkaleri Local Government Areas in Bauchi State.²⁴ Four people lost their lives while others sustained different degrees of injuries during the incident at Alkaleri.²⁵ Regarding these incidents, the governor of Bauchi State reportedly lamented that terrorists were trying to overwhelm the state.²⁶ This statement shows that Bauchi other states in the North-East of Nigeria is not spared of insecurity affecting the region.
- ii. Damage of private and public buildings. It is reasonable to state that many places are not safe, instead of maintaining that nowhere is safe. Truth be told, in the North-East of Nigeria where Boko Haram's insurgency exist, some markets, mosques, churches, schools and highways are not safe. Places such as private buildings, public buildings, mosques and churches are destroyed.
- iii. Kidnapping and hostage taking of persons, including students for ransom exist as part of the painful effect of conflicts in the North-East of Nigeria. People lost their properties; and parted with their hard earned money to ransom seeking kidnappers.
- iv. Destruction of rural agriculture as a major means of livelihood of the people. To emphasize this point, farms at interior villages are not safe because they are now used as criminals' den by insurgents, kidnappers and bandits. The long term effect of this is that rural agricultural production is disrupted and the region is facing serious food crisis.

21 Reuters citing UNDP Report in "North East Nigeria Insurgency has killed Almost 350,000-UN." <https://www.reuters.com>africa>n...> Accessed on 24th June, 2022

22 Ibid.

23 UNHCR, "Nigeria: Population of Concern Snapshot." <https://www.econet>.local>. Accessed on 11th July, 2021

24 Bakam, A. "Terrorists Trying to Overwhelm Bauchi State, Residents Living in Fear". Punch Newspapers 26th June, 2022. <https://punchng.com/terrorists-trying-to-overwhelm-Bauchi-residents-living-in-fear-gov>. Accessed 26th June, 2022.

25 Ibid.

26 Ibid.



- v. Inter-state transportation is also disrupted in the region. People now travel with the fear of being kidnapped, tortured and eventually killed; as criminal elements always blocked the highways and dealt brutally with travelers.
- vi. There are also cattle rustlings. The criminal elements, sometimes steal cattles and loot shops for their consumption.

As stated earlier, effects of insurgents', kidnappers' and bandits' activities are many and varied in the region. It is important to add before concluding this segment, that fundamental rights to life; dignity of the human person; personal liberty; freedom of movement; rights to religion and ownership of private property guaranteed under chapter four of the Constitution of the Federal Republic of Nigeria to individuals are brazenly desecrated and abused by criminal elements in the region.

Statutory and Institutional Measures

In the North-East of Nigeria, there are statutory and institutional measures put in place against the kidnapping, banditry, insurgency and insecurity.

(i) Statutory Measures

The Constitution of the Federal Republic of Nigeria, 1999 as amended out-laws insurgency as it provides in section 1(2) that:

The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the Government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution.

This means that no group of persons would take control of Nigeria, or any part thereof, except through the democratic process of elections. Then insurgents' groups may be fighting a lost battle in the North-East of Nigeria. Insurgency is a crime that attracts capital punishment under the law in Nigeria. Kidnapping and abduction as described elsewhere in this paper are also apparently criminalized and made punishable under the Penal Code of Northern Nigeria. The region operates dual criminal law system which involves the general Penal Code mentioned above, and Sharia Penal Code, 2001. Under both Codes, kidnappers and bandits may not escape punishment. The Sharia Penal Code is applicable to the people of Islamic faith and people of non-Islamic faith who voluntarily submit to the jurisdiction of the sharia penal law. Furthermore, North-East of Nigeria is fast becoming an epicenter of insecurity induced by high criminalities as if no statutory measures exist in penal laws against criminal elements in the region. The mercilessness and thoughtlessness demonstrated by kidnappers and bandits in their criminal operations are now causing the thinking along the pattern that the extant penal measures are inadequate in the fight against kidnapping and allied offences. Perhaps, there may be need for states in the North-East to enact a special anti-kidnapping and abduction law for effective control of the crimes.

(ii) Institutional Measures

The Army, Navy, Air force and Police force are institutions fighting hard to restore peace in the North-East Region. The police sometimes engage in joint military operations with allied



forces mentioned above to tackle the problems of kidnapping, banditry and insurgency in the region. The Institution of Police is actually responsible for maintenance internal security in the region. The police is legally endowed with investigative and prosecutorial powers to apply penal laws in dealing with criminals. In the North-East of Nigeria, the police adopts application of penal methods or techniques against crimes. Malemi explains that:

Penal method or criminal justice system means enforcement of criminal laws by the government through the court and other law enforcement agencies and the punishment of crimes, rehabilitation and reintegration of persons who, have served their prison terms back in society as applicable, where it is not a death sentence.²⁷

According to Human Rights Watch (HRW), some persons were prosecuted for offences of murder, kidnapping including gruesome attacks in Damaturu in Yobe State; Bama and Baga in Borno States; and abduction of Chibok girls in Borno in 2015.²⁸ The Organization further stated that most persons were prosecuted for providing food materials, laundry of clothes; and repairs of vehicles to Boko Haram members.²⁹ So far, police prosecution is not eliminating kidnapping, abduction, banditry, insurgency and insecurity in the North-East. Prosecution is a penal method which Malemi observes only deals with the symptoms of crime, and not the root causes of crime.³⁰ It appears therefore, that the police need to collaborate with the youths and other stakeholders in the communities to restore peace, security and order in the North-East of Nigeria.

Youths and Police Collaboration in Crime Detection and Human Rights Protection.

The primary function of government is that of maintenance of security, peace and order in the society under section 14(2)(b) of the Constitution of the Federal Republic of Nigeria, 1999 as amended. Government performs this function partly through the Institution of Police. The police as an agency of government play significant and wide ranging roles in detecting, investigating and prosecuting crimes; and maintaining peace and security in the society under section 4 of the Police Act, 2020. Section 4 of the new Police Act, 2020 provides for the primary functions of the police as follows:

The police shall be employed for the prevention and detection of crime, the apprehension of offenders, the preservation of the law and order, the protection of life and property and the due enforcement of all laws and regulations with which they are directly charged, and shall perform such military duties within or without Nigeria as may be required of them by, or under the authority of this Act or any other Act.

Again section 19 of the Act provides: subject to the Attorneys general power to enter *nolle prosequi*³¹ to institute, take over and continue or discontinue a criminal suit, that any police officer

²⁷ Malemi, E. *The Nigerian Legal Method* (2nd ed.) (Lagos: Princeton Co, 2012). P 212

²⁸ Human Rights Watch <https://www.hrw.org>. Accessed on 25th July, 2021.

²⁹ Ibid.

³⁰ Malemi, E. Op.cit.

³¹ See Sections 174 & 211 of the Constitution of the Federal Republic of Nigeria, 1999 as amended which grant power the Law Officers to institute action and prosecute criminal elements in the country.



may conduct in person all prosecutions before any court whether or not the information or complaint is laid in his name. The functions of the police as stated above were recognized and affirmed by the Court in *Atakpa v. Ebetor*,³² where it was held that:

Police officers are empowered to investigate any criminal allegation or complaint. They may take any action they deem fit to take upon investigation. They may arrest, detain, and prosecute an alleged offender by virtue of section 4 of the Police Act, Sections 17 to 20 of the Criminal Procedure Act, sections 35(1)(c) of the Constitution of the Federal Republic of Nigeria, 1999 as amended. In the legitimate discharge of their duties, they cannot be sued to Court for breach of fundamental rights.

The Police Institution is allowed under its establishing Act to collaborate with critical stakeholders who include the youths in carrying out their functions which have been significantly expanded under the new Police Act, 2020. To that extent, the police and youths may play the following roles in combating the menace of kidnapping, banditry, insurgency and insecurity and other crimes in the North-East Region of Nigeria:

- i. **Crime Detection/Investigation**
Police required adequate intelligence to succeed in crime detection or investigation. Thus, the youths, especially in their vigilante groups can be a source of useful intelligence to the police on an investigative mission to gather evidence for arrest and prosecution of crime. To this end, the whistle blower policy of non-disclosure of identity of any informant who affords useful information to the police may be applied.
- ii. **Crime Prevention**
The police is primarily established for crime prevention in the society. This role can be shared between the police and youths in effort to maintain peace, security and order in the region. This role of prevention of crimes requires pro-activeness not re-activeness on the part of stakeholders. The police through recognized youths' groups can send early warning signals against commission of crimes in the society. Youths' groups may be permitted by the police and various local traditional authorities to mount guard at strategic places in the local communities, thereby preventing occurrence of crimes. The police may allow the Youths' Vigilante Groups to carry sticks, clubs and hunters gun while playing the collaborative role of crime prevention in the region.
- iii. **Arresting of Criminals Suspects**
This is another role that can be shared between the police and youths. The law empowers a private person or group of persons, youths groups to effect arrest of suspects of crime and handover the arrestee to a nearby police station for onward investigation and possible prosecution. In this role, the police may reasonably enter into an unilateral contract with the world of youths by offering pecuniary incentive to any youths that would successfully arrest criminals in the wanted persons list

³² (2015) 3 NWLR, Pt. 1447, p.549 at 558, ration 11.



maintained by the police. This, in a way would help to maintain security and order in the communities.

iv. Crime Prosecution

This is one of the cardinal functions of the police. In performing this function, the police can use the youths as witnesses to establish the truth of criminal case before the courts.

v. Education of Community Dwellers

Education of Community Dwellers against commission of is a good programme which the police and youths can undertake to ensure crime prevention in the communities. Such programmes need to be organized periodically to give proper orientation to community dwellers against indulgence in crimes. The areas of police and youths collaboration in the fight against crimes and insecurity are many and varied. They cannot be exhaustively highlighted and discussed within the limited space provided by this paper. The point to emphasis is that the youths and police need to team up to fight to rescue the North-East Region in throes of high crimes and insecurity.

vi. Human Rights Protection

Human rights are the worst hit in the midst of insecurity in the North-East Region. Human rights are rights that belong to an individual or group of individuals simply for being human, or as a consequence of inherent human vulnerability, or because they are requisite to the possibility of a just society.³³ They are freedoms, immunities, and benefits that, according to modern values all human beings should be able to claim as a matter of right in the society which they live.³⁴ The rights are inherent in the nature of man, for man's enjoyment in justification of his humanity. They are standards for civilized human existence, yet they are flagrantly violated in the North-East of Nigeria. In *Odogu v.A.G. Federation*,³⁵ the court held that human rights are fundamental rights guaranteed in Nigerian Constitution and they are rights which every person is entitled when they are not subject to the disabilities enumerated in the constitution; to enjoy by virtue of being human beings. According to the judicial decision cited above, fundamental rights are derogable rights to the limit allowed by the constitution, and they are not to be infringed by criminal activities of bandits, kidnappers and insurgents as is the case in the North-East of Nigeria.

The police and youths' in the region can play many roles in the protection of human right highly violated in the region. The youths can report breaches or threats of breach of the rights to the police for action. They can also join hands with the police to educate the people on good values which accord with human rights standards in the Community.

Findings

This paper makes the following findings based on literature, some of which have been read and specifically cited in the light of the prevailing insecurity problem affecting the North-East region.

³³ Weston, B.H. "Human Rights" <https://www.britannica.com>topic>. Accessed 24th June, 2022.

³⁴ Garner, B.A. *Opcit*

³⁵ (2000) 2 HRLR, P. 82 at 86



- i. Kidnapping, banditry, insurgency and insecurity are disturbing criminal acts which are still being perpetrated in the region of North-East of Nigeria.
- ii. Displaced persons are still living in make-shift camps. It is not very safe for internally displaced persons to get back to their native villages.
- iii. There is huge food need arising as a result of the disruption of rural farming by criminal activities of kidnappers, bandits and insurgents.
- iv. A huge number of persons have lost their lives and properties due to crimes committed by the bad eggs in the region in collaboration with foreign militias who gained entry into Nigeria through porous borders.
- v. There is urgent security need in the region which is still being entangled in criminalities. To that extent, mosques, churches, schools, farms and high ways are not appreciably safe. The police as a security institution is over-stretched into terms personnel and equipment in the fight against criminalities and insecurity.
- vi. There is a gap existing between the police and critical stakeholders, more especially, local communities, the youths' groups which are not seen effectively collaborating in the fight against insecurity in the region.
- vii. Some persons kidnapped years ago, are still in captivity.

Recommendations

The following recommendations are made therefore based on the findings stated above:

To restore security, peace and order in the region, kidnappers, bandits and insurgents must be pro-actively tackled by the police in collaboration with other security stakeholders, including youths' groups in the rural communities in the region. The police should recognize and register youths' vigilante groups in the rural communities for effective collaboration in the fight against insecurity. More police should be recruited among youths' to man schools, worship centres and highways to ensure security of those places. More police presence needs to be made visible in the village communities which are grossly under-policed. Modern crime detection, tracking and prevention equipment need to be supplied by government to the police to ensure their pro-activeness in fighting crimes.

The police should team up with youths' groups to form forest guards to ensure safety of farmlands in the rural areas in the region. This forest guards would ensure some stability in food production from rural farms. Internally displaced persons should be helped back to life in a decent accommodation by government.

Adequate infrastructure should be created to carefully engage the youths who may be easily recruited by criminal groups to cause insecurity in the region. Gainful engagements would take the minds of youths away from crimes. It is also recommended that the youths' groups and police should make efforts to track and secure the release of persons who are still in captivity. The village youths may play a collaborative role in this regard, since the interior village forests where persons are sometimes held in captivity are known to them.

Conclusion

Some crimes throwing the North-East Region of Nigeria into a worrisome state of insecurity have been highlighted and discussed in this paper as front burner issues. It is noted that the police, a



major security establishment have been over-stretched in the fight against insecurity in the region. Thus, there is need for other stakeholders including youths' groups to find common grounds of collaboration with the police in the fight to restore security to the region; with the understanding that restoring and maintaining security are everybody's business. With stable security economy of the North-East would bounce back up to the interior parts of the region.

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