

Survival Strategies of Internal Security in Nigeria: The Amotekun Option

Oikhala Gabriel Izokpu

Department of Public Administration
Olabisi Onabanjo University, Ago-Iwoye, Nigeria

Corresponding Author: oikhala.gabriel@oouagoiwoye.edu.ng

Abstract

Across the world, governments guarantee security of citizens and provide enabling environment for people to go about their lawful business. In Nigeria, incessant kidnappings, attacks on farmers by herdsmen, ritual killings, and bombings by Boko Haram among others are forcing people to live in fear and can no longer go about their legitimate business. The level of insecurity at present has degenerated to where efforts of the Nigeria police appeared not helpful. With this development, the South-West Governors organised Security Summit and established a regional security labelled “Amotekun” to rid the region of criminal elements. This paper examined the legality of Amotekun security outfit and causes of security breakdown in Nigeria. Relevant data were obtained from textbooks, journals, and newspapers among others. Data collected were analysed through descriptive method. Using the Grand Strategy for Internal Security Narrative as a framework, Amotekun was established to fight crimes and stop herdsmen and Boko Haram terrorist activities in South West. The paper found Amotekun as inconsistent with the Constitution. It found bad governance, poor leadership, injustice, weak law enforcement, and unemployment as some causes of security breakdown in Nigeria. It concluded that the establishment of Amotekun as a regional security is illegal and hence, it cannot improve the security breakdown in Nigeria. The paper recommended that the police should adopt comprehensive policing; the federal government should maintain efficient police and stop intermingling security issues with politics; and the South-West governments should push for constitutional review to recognise regional police in Nigeria.

Keywords: Police; Internal Security; Government and Security Functions; Insecurity in Nigeria; Amotekun Option; Constitutional Legality

INTRODUCTION

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In every country, the primary function of government is to provide security and maintain law and order. This helps to create conducive atmosphere and enabling environment for social, political, economic, cultural, and governance activities of a nation to thrive. In this context, security indicates freedom from threats. In a deeper sense, security is not just the absence of threats. It has more to do with the presence of a permanent process of safety measures. Importantly, internal security lies on the fact that as revealed in a wise saying, “the enemy is outside the fence, but the facilitator lives within the walls. Without the help of the facilitator who lives within the walls, it is not always easy for the enemy to penetrate the defence.” So, it can be argued that the degree to which internal security is guaranteed is to a large extent depends on the ability of those charged with the responsibility of maintaining order and securing the environment

(Adalemo, 2004). This was corroborated by Oikhala (2020:1) that “when citizens are faced with dwindling internal security, they lose confidence and hope on government.” In the contemporary Nigeria, there is no other body charged with the noble tasks of protecting citizens and maintaining a secured environment than the federal government and the police who are also assisted by other government security agencies (Federal Republic of Nigeria 1999).

However, Bello-Imam (2014) noted with consternation that Boko Haram has upset the apple cart of internal security especially in the Northern Nigeria since year 2000. Before their appearance on the Nigerian scene, ethnic militants in Niger-Delta have been unleashing terror on South-South Nigerians. Concurrently, communal clashes, religious killings, and other brutal crimes in North-Central of Nigeria have continued to threaten lives and property in that part of Nigeria. There are also reported cases of armed robberies, kidnappings, assassinations, and ritual killings among others in almost all the geo-political zones of Nigeria. Earlier on, Akowonjo (2004:1) worriedly that:

“It is a known fact to everybody that the security situation in Nigeria has degenerated to an epidemic proportion. Nobody seems safe any longer. The upsurge in crime, degeneration of public order and the very disturbing level of threat to peace and stability in recent times have been a source of concern and challenge to democracy, national survival, integration and development. The list of criminal acts in this country is endless. Among others, it includes assassination, kidnapping, arson, organised armed robbery, vandal, ritual acts, financial crimes, fraudulent acts, impersonation, economics sabotage, and political brigandage, prostitution, cultism, human-trafficking, drug abuse, examination malpractices, bullying, rapping and assault in all parts of Nigeria”

According to Coomassie (2014:32), “it is not in doubt and it is also a constitutional matter that government is saddled with provision of security and welfare of people.” But, as massive destruction of lives and property continued to deteriorate into a hydra headed monster; the police are doing their best to curb the unfortunate menace. Also, how the escalating insecurity can be nipped on the bud has been on top agenda of the federal government of Nigeria. Sadly, none of their efforts have produced

a significant result. Hence, no day passes without reports of terrible violence being unleashed by the Boko Haram insurgent and the notorious herdsmen as well as complement of other fierce crimes of armed-robberies, kidnappings, ritual and political killings just to mention few. In fact, the way criminals are making blood to flow on most of the Nigerian streets and the irritating level of destruction of lives and property have been quite nasty and becoming more dreadful on Nigerians to endure.

So, with the Nigerian state bleeding its heart to death and crying its eyes out daily in the face of appalling internal security threats and the corresponding urgency for a viable and enduring mitigation, the six South-West State governments of Nigeria namely, Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo on 28th to 29th June, 2019 held a regional security summit in Ibadan. The outcome led to the launching of a security outfit labelled “Amotekun” on the 9th January, 2020 by the South West Governors to protect their region. With this, the efforts of the Nigeria police in tackling crimes and criminalities within the region as well as preventing the spread of the Boko Haram terrorist and the nasty aggressive bloodsheds of the herdsmen to the region would have been presumably reinforced (Ojoye, 2019).

In Olaniyi and Oyewale (2021:29), Governor Seyi Makinde of Oyo State reportedly said: “what we want to achieve is to secure the Yoruba land. The Yoruba nation is deeply worried by the unfolding anarchy particularly as it affects the South-West region, almost rendered comatose by daily occurrence of kidnappings, arson, maiming, destruction of economic facilities and killings. The acts of criminality being tagged farmers-herders clash is a case of terrorism and a case of crime against humanity. Those who unleash attack on farmer, who kidnap fellow Nigeria, who kill and rape women are no bandits but terrorists. So, the concept of Amotekun security outfit is very new. It has not been practised in the annals of crime control and management of public security in Nigeria. Besides, this is the first time the entire state governments of a geographical zone or region have come together to jointly establish a regional security outfit in Nigeria. However, according to section 214 (1) of the 1999 Constitution of the Federal Republic of Nigeria, there shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section no other police force shall be established for the Federation or in any part thereof. This has led to the legal question of Amotekun as a South West regional security outfit in Nigeria.

This paper is concerned with two issues. The first is to determine the legal status of Amotekun as the regional security outfit of the South-West of Nigeria. The second aspect is to know what responsible for internal security breakdown in Nigeria. To accomplish these goals, the paper is divided into six parts. Aside from the introductory part, the second and third parts dealt with theoretical perspective and conceptual discourse. The fourth and fifth aspects focused discussion on issues of legality and causes of internal security breakdown in Nigeria while the final part concluded the paper and make recommendations.

THEORETICAL PERSPECTIVES

In administrative science, especially in security and police studies, no one definition is all embracing and perfect. As challenge in the face of societal development in crime and criminality is becoming enormous, so, is the search for methodology become increasingly widened to manage every aspect of the crime and to break the psyche of those criminals. This makes it a challenge for intellectuals to adopt one common definition for police and security discourse. As Oikhala (2021) observed, theoretical formulations on issue of security are inter-connected and inter-related in police studies. Regardless of the theory adopted, none can give full information about crime occurrences or prescribe the best method the police can utilise to deal with them. At best, they are attempted by intellectuals to make sense out of the available multifaceted methods of managing crime and maintaining order.

To fully understand the need for an appropriate theoretical perspective in this paper, the thought of Nwolise (2019:20) is well appreciated in the sense that “a good building stands on a solid foundation without, which it will collapse.” In this paper, foundation goes beyond structure for ensuring security in the society. It has more to do with intellectual energies exercised to ensure periodic analysis of crime development; types of crime and its frequencies; geographic and demographic distribution; review of crime control and management strategies to constantly meet exigencies and dynamics of human development in society. Because of the fact that insecurity is a violation of peace and freedom, it cannot be out of place to identify primordial and contemporary factors that promote lawlessness or breach to rules, freedom abuses and perpetrators of deviant activities in society. In Nigeria, the police are often blamed for its inability to curb the notorious state of insecurity. Beyond the police, political leaders, politicians, and citizens are all considered as having responsibility for security issues.

Bearing all the above discourses in mind, this paper is based on the Grand Strategy for Internal Security Narrative. It is a comprehensive approach with wide range of ideas. Therefore, it can be adopted to solve local and national issues on governance. Teniola (2017:7) saw the approach as helpful in Obasanjo's Administration. As he puts it, "except for the Odi massacre, religious crisis in Zamfara and Jos, less internal security crisis was experienced in Obasanjo's Administration than his successors." In its assumptions, there are some fascinating liberal contents that suit the contemporary public administration especially in the aspect that canvassed for the management of public service through active public-private partnership. In this sense, the police-public partnership and grassroots' involvement in fighting crime to successfully maintain internal security is well emphasised. This is one aspect that this approach is closely related to this paper. For several years, the Nigeria police have adopted a crime fighting method that is devoid of much input and involvement of members of the public to maintain security and order. In most cases, many police officers are seldom posted to serve in their place of origins probably not to compromise their duties with their kinsmen. Because they are strangers who do not understand the dialect, culture, or have any local knowledge of where they serve, they are hardly disposed to sufficient covert intelligence information to be able to curb crime and achieve their goals of internal security. For the Amotekun, it recruits the entire operatives from their own ancestral clans in which they also serve. Therefore, it has opportunity to get the necessary information to nip the crime and criminal on the bud in order to maintain security in the South West of Nigeria.

Also, the grand strategy for internal security saw aggression and disorder as effects of frustration, conflict, threat, crime and criminality on paucity of security and welfare services provided by government. This helps to understand why the various efforts made by the police to abate crime and provide adequate security for Nigerians in conjunction with the federal government have not yielded the expected outcome. Instead, this country has rather be an upsurge trend of different crimes and criminalities in Nigeria (Dollard et al, 1939). This is another aspect in which this approach is related to this paper. The originators of Amotekun as Governors will not claim ignorance of the police system prescribed for Nigeria by the Constitution. But, it becomes more painful and harmful to fold their hands to watch the stream of destruction of lives and property and the continuous killings, bombings, kidnapping to mention just a few; while watching the Nigeria police under the tutelage of the federal government becoming more and more overwhelm and helpless over the terror that is being unleashed by the

dreadful Boko Haram bombers and the onslaught of the herdsmen killers and complement of other criminals are growing worse day by day making the South West continue to be unsafe region. This probably led to the Governor of Oyo State, Seyi Makinde saying: “When injustice becomes the law, resistance will be a duty” (Olaniyi and Oyewale, 2021:29).

Similarly, Azeez and Gbadamosi (2020) also cited the Ondo State Governor, Rotimi Akeredolu saying: “we wish to reiterate that the Amotekun corps is a child of necessity, which was purely borne out of the need to explore other means of securing our forests and protecting all those who do legitimate business within the South-West zone.” In his contribution, the Governor of Osun State, Gboyega Oyetola said “with the emergence of Amotekun, the zone has become a secure haven.” Also, in a statement signed by the Chairman and the Public Relations Officer of the Pan-Yoruba socio-cultural organization, Afenire, Mr. Lekan Alabi and Mr. Adeleye Adebayo: “the ravaging herdsmen have caged many of our communities and subjected them to avoidable trauma... our farms are being ravaged with impunity by the herdsmen and we have become prisoners in our land.” In all of these, the of survival from threat was underscored. When people are made to suffer and there are pouring calls

It is from this angle that grand participation canvass of all and sundry seems to be clinical in attempt to rescue people from destruction and to restore security and limit opportunity for further threats to life and property in Nigeria. According to Palme (1992:9), “there is a correlation between internal security and survival.” While survival is an important condition of life, internal security produces survival of life and property. It revolved on confidence, safety and freedom from all threats and doubts. Nanchin (2014:65) maintained that it implies protection from systematic human rights abuses, physical threats, violence and extreme economic, social, and environmental risks. “It covers both the reduction of violence and conflict within the households; communities and the country at large”. Hence, the choice of creating Amotekun security outfit by the South-West governments was predicated on repelling the spread of Boko Haram insurgent and herdsmen carnages in Nigeria. It was also supposed to complement the Nigeria police efforts in curbing the unending eruption of kidnappings, armed robberies with violent and onslaught activities of other banditries for the people to enjoy a considerable freedom from internal security threats in the area (Azeez and Gbadamosi, 2020).

The approach believes that the criminals who commit crimes or terrorise people live in the neighbourhood. This is in tandem with the Yoruba adage that: “*Kokoro to nje efo, ara efo lo wa*” meaning the insect that eats vegetable lives right inside the vegetable. This is the final aspect that is relevance to this paper. Apart from the fact that the Amotekun operatives are members of their neighbourhood; recruited and posted to watch their own neighbourhood; they are also posted to guard all entries and exits of their neighbourhood just to prevent criminals from taking stolen property out; or either to deter criminals from outside bringing stolen property into their neighbourhood from outside or to make it impossible for criminals from other neighbourhoods to have access into their neighbourhood to steal. This is where the strength and potency of localised security network be. Without prejudice, the South-West region is expected to become safe. Hence all things be equal, there should be a limited opportunity for crime and criminal in such a security measure that seems to be “be people watching the people.” Hence as found in Azeez and Gbadamosi (2020:29) Archbishop, Ayo Ladigbolu maintained that “with the success on the establishment of Amotekun for the security of the entire South-West, Governor Gboyega Oyetola of Osun state and his colleagues in the zone had assured the Yoruba that the good days were coming back.”

In all, the path of discourse chanted in this paper, is while the unfortunate trend of dreadful internal security threats in Nigeria lingered for the past years, most states are continued to be visited with sorrowful bloodsheds daily from Boko Haram bombings and herdsmen massacres, which is also being reinforced by criminalities of other banditries. This has continued to throw the Nigerian state into an atmosphere of mourning, apprehension and a state of despair leading to inefficiency question of the federal government. Hence, the repercussion of not maintaining an efficient police system to secure Nigeria is an open door for criminals to hatch any crime and commit it without challenge. Even when the history of crime control and management of internal security in Nigeria has it that the grand strategy model was adopted in Obasanjo Civilian Administration and found to a large extent helpful, this grand and comprehensive approach that was attested to as very helpful and having the potency for better crime control and internal security maintenance in the face of the current agonising insecurity and wanton destruction of life in Nigeria was not re-visited or modified and re-adopted (Teniola, 2017; Azeez and Gbadamosi, 2020; Olaniyi and Oyewale, 2021).

CONCEPTUAL DISCOURSES

In this paper, conceptual discourse is considered as the building blocks that provide ideas for understanding internal security and police concepts as inseparable constituents. It may not be out of place to present security as the causes of police in an organised society. Hence, police act as public gatekeeper, public guardian, guarantor of public peace in order to make human, social, economic, political, and cultural development stride of society to do well. To this end, the police are integral part of the public administration saddled with unfettered responsibility to implement security policies; provide safety and enabling environment for public and private businesses to flourish. In as much as close attention is drawn to police when crime and internal security issues are raised certain concepts cannot be undermined. For the sake of this paper, four of these concepts are put into consideration for discussion to achieve the value of this paper. The concepts are the police, the Nigeria police and its primary functions, security, and the South West and state of current internal security in Nigeria.

The Police

Attempt by intellectuals to locate a common meaning of police has always been difficult. This experience has hastened some thinkers to conclude that there is no need to define police or its related concepts. But, there are some other scholars who have argued for the need to attempt a definition of any object of study. Supporting this view, Charles Schettneider was noted saying in Azelama (2016:2) that “people who cannot define the object of their study do not know what they are looking for. If you do not know what you are looking for, how will you know when you have found it?” As different countries adopt different police systems, attempts to have a common meaning of the police will always be unsettled. Similar to this, Nmerole (2008) observed that the French adopted rural gendarmerie (civil force) and urban national police structures, which are controlled by central government. The French police force emphasised the surveillance policing strategy. This approach engages citizens. It is similar to the grand strategy for internal security management on the aspect that it provides constant information on activities of all citizens to maintain law and order through citizens’ participation. In Canada, the police are structured under the federal, provincial, and municipal to enforce law and maintain order. A national police structure that is supervised by the ministry of justice is the type adopted to provide security in Sweden. In United States of America, the police system adopted is the state police forces existing

side-by-side with the federal marshals to curb crime and maintain security and order. In Nigeria, a national police system under the maintenance, authority, supervision, budget of the federal government is exclusively adopted to enforce law, maintain order, prevent and control crime and manage internal security. Nmerole (2008:1) asserted that the term police are derived from a Greek word 'polis.' It means:

“That part of non-ecclesiastical administration, which have to do with security, health, and order of the state. It is a department of government responsible for preservation of law and order; detection of crime and enforcement of civil law.”

It is in tandem with the above clarifications that the United Nations Secretary General, Mr Antonio Guterres in his opening the 16th United Nations Police Week on 5th May, 2018, clarified that the task of the United Nations Police is to enhance international peace and security in the member states having conflict, post conflict or other crises situation. In other words, the United Nations police are established to serve by maintaining peace and securing lives and property of member states that are experiencing conflicts, or post-conflicts. They are also involved in building the capacity for crime control, crime prevention, security management and guarantying safety among others of the host states who are just recuperating from conflicts or still in conflicts (the United Nations Police Report, 2018). In essence, whatever name the police are called, its functions revolved around administration of crime and security. Adopted in this sense, the police eliminate threats to people, property and corporate survival of a nation as well as maintain public peace and order and settlement of disputes through alternative dispute resolution.

Primary Functions of Police in Nigeria

A detailed knowledge of conceptual meanings and what the police exist to do is helpful to determine its efficacy in the context of this paper. As noted in the 1960 Constitution, the Nigeria police force was established as a federal force to principally fight crime, provide security, and maintain law and order (Federal Government of Nigeria, 1960). Then, the 1999 Constitution reiterated the national status of the Nigeria police. Section 214 (1) and (2) (b) affirmed this when it stated: “there shall be a police force for Nigeria, which shall be known as the Nigeria Police Force and subject to the provision of this section; no other police force shall be established for the Federation or

any part thereof. Definitely, the extant law has recognised the police as the lead internal security agency for Nigeria. Regarding the powers and duties of the police force, subsection (2) (b) stated that the members of the police force shall have such powers as may be conferred on them by law. As for the control of the police force, section 215 (2) prescribed that the Nigeria police force shall be under the command of the Inspector-General of police; while subsection (3) stated that the President or such other Minister of Government of the Federation as he may authorise in that behalf may give to the Inspector-General of police such lawful directions with respect to the maintenance and securing of public safety and order (Federal Republic of Nigeria, 1999).

To be specific of primary duties of the Nigeria police force, the 1999 Constitution was reinforced when sections 4 of the 2020 Police Act No. 2 aptly outlined the primary functions of the Nigeria police force. As contained in section 4 (a-i), the police shall:

- a) Prevent and detect crimes and protect the rights and freedom of every person in Nigeria as provided in the Constitution, the African Charter on Human and Peoples' Rights and any other law;
- b) Maintain public safety law and order;
- c) Protect the lives and property of all persons in Nigeria;
- d) Enforce all always and regulations without any prejudice to the enabling Acts of other security agencies;
- e) Discharge such duties within and outside Nigeria as may be required of it under this Act or any other law;
- f) Collaborate with other agencies to take any necessary action and provide the required assistance or support to persons in distress, including victims of road accidents, fire disasters, earthquakes and floods;
- g) Facilitate the free passage and movement on highways, roads and streets open to the public;
- h) Adopt community partnership in the discharge of its responsibilities under this Act or under any other law; and
- i) Vet and approve the registration of private detective schools and private investigative outfits.

From the above, the Nigeria police force is saddled with enormous functions. These functions are among others included law enforcement; providing enabling

environment; protecting life and property; preserving laws and order; apprehending and prosecuting offender; and conflict settlement through alternative dispute resolution. The stipulated functions above, showed that the police would have had enough functions for proper crime control, crime reduction and internal security management. Hence, there is no gainsaying the fact that the phenomenon of crime reduction, its approach, control of its upswing, ensuring qualitative and productive law enforcement and maintaining proper good order; promoting peace building; safeguarding life and property; and preserving secured environment among others will be effective with proper appropriate logistics, the police maintenance, commitment, training, and judicious application of logistics. These statutory police responsibilities are also aligned with the multi-dimensional complex and technical nature of its functions appeared too adequate when such functions exist in only paper. All of the above supported Shaw (2012) that the ABC of the police stands for protection of lives and property and prevention of crime and disorder. Abba (2014) corroborated all of the above discourses by saying “the responsibility of police in Nigeria has transcended the traditional roles of arresting, investigating, and prosecuting offenders to the expectations to ensuring stable democracy, good governance; enabling environment, constant socio-economic development, and acceptable basic service delivery for better Nigeria.

Relying on the above facts, the primary functions of the police can be classified into military and non-military functions. But, the non-military functions appeared to be interwoven in the sense that prevention and detection of crime amounts to preservation of law and order as well as protection of life and property. In a more narrow classification, the police primary functions in Nigeria can be divided into crime prevention, criminal justice administration and internal security management. In crime prevention, all criminal acts or breach of laws concern with police include preventing Boko Haram bombings, terrorism and killings; preventing herdsmen dreadful attacks, its carnages, kidnappings and robberies with other banditries that are notoriously claiming lives and threatening people and survival of Nigeria. For the criminal justice administration and internal security management, the Nigeria police are primarily involved in investigation, arraignment, and the prosecution of criminals in the court of justice. The police also carried out quasi adjudicatory functions through engagements on alternative dispute resolution. By these, the Nigeria police force is not only a law enforcement officer, but a peace maker, peace building and peace facilitator within the realm of administration of justice.

In all of the discussions so far, Abba (2014) and Arase (2015) shared similar views that the prime functions of the police in Nigeria is to lessen opportunity for crime; enforce laws; guarantee adequate security; maintain peace; and ensure proper enabling environment for socio-economic, political and cultural activity to thrive. Hence Abba (2014) is of the view that policing has transcended from the mundane orientation that is characterised by exerting physical battle of the police in ‘hue and pursue’ of criminals in Nigeria. This is similar to Wuyep (2004:18) who in his work titled “Security and Development: The Challenge of Our Time,” cited the former Minister of Defence Lt. Gen. T. Y. Danjuma saying that: “In a modernised society, security means development. Security is not a military force, although, it may involve it.” The choice of this quote is underpinned by the fact that several unsuccessful militaristic strategies such as operations ‘fire for fire, zero tolerance for crime, and shoot criminals at sight, operation safer highway, hue and pursue, and show of force,’ among others have been adopted by the Nigeria police to secure Nigerians and guarantee the enabling environment from the dire threats to life and property by the dreadful armed robbers, kidnappers, rapists, Boko Haram terrorists, herdsmen massacres, ritual and political killers among other criminals.

The above explains the management of Nigeria security system with less battle based strategy but of more liberal approach, which will be all-encompassing and characterised with senses of being proactive, people-friendly and participatory. This is where the grand strategy for internal security management is essential. It is all embracing, grassroots-based and active public participation. As Arase (2016) canvassed, this is a time for the Nigeria police to embrace a comprehensive community-based policing model, which is capable of bringing the police and public together for teamwork to ensure police efficiency in curbing the threats of different kinds of crimes and criminalities in Nigeria in order to make the country comfortable, habitable and a safer place for all. If this approach is adopted and federal government through its leadership provide the necessary maintenance, there may be no reasons for the insecurity and emergence of Amotekun security network for the South West zone of Nigeria.

Security

Security means different things to different people. As used in this paper, the concept of security involves the elements that have direct effects on development of

individual and nation. This simply means the freedom and safety of people, property and environment. It is being referred to as an absolute absence from all threats. In line with this, Ali (2014) identified social, political, economic, food and environmental as some of them. Social security as the put it, is enshrined in Article 22 of the Universal Declaration of Human Rights that everyone has the right to enjoy protection. In other words, members of society should enjoy safety from wants while political and economic security are concerned with protection against bias, oppression and stable source of financial income that would allows for maintenance and enjoyment of comfortable standard of living. Food security entails the availability of all sustainable provisions and access to them. Environmental security deals with freedom from issues that threaten people and national progress (Ali, 2014; and Arase, 2016).

Arebamen (2004:101) quoted Imobighe as saying: “Security is freedom and absence of those tendencies, which can undermine internal cohesion and corporate existence of a nation and ability to maintain its essential institutions for promotion of core values, socio-economic and political objectives. As defined here, adequate internal security is canvassed to free people, property and environment from all threats. It is precondition for a comfortable and conducive atmosphere of people to be able to pursue their legitimate business within the society. This is one aspect of the values of the Nigeria police force. It is responsible for maintaining peace, providing enabling and safer environment, ensuring liberty of people, protecting life and property from threats. This corroborated Soyombo (2004) who argued that a secure and safe environment are preconditions for socio-economic progress. This presents internal security as most fundamental need of human beings; hence, the progress of people and any nation as noted in Arase (2016) is deeply rooted on it.

Ayodeji (2004) expanded the meaning of security when he attempted to differentiate it from safety. As observed from his analysis, security exists as a result of the need to establish some measures to protect life and property against destruction of any kind while safety deals with the processes involve for maintaining a condition to be freed from harm. In this sense, the Nigeria police force is presented as an inevitable instrument for the peace maintenance; promotion and sustenance of conditions necessary to make people and their environment to become comfortable, habitable, safe and free from any threat. It is towards this direction that Nanchin (2014:68) stressed the importance of security to an aspect of economic well-being of a country and citizens when she cited a former United States Secretary of Defence, Robert Strange

McNamara's assertion that "security is development and development is security." This suggests that security is a precondition of development. Therefore, security focuses on prevention of possible threats to people, property, environment and its activities. It also involves in detection of crime to avoid reoccurrence, crime control and reduction including conflicts within households and communities; and between communities and the country as in the case of South West State Governments and the Federal Government of Nigeria on issue of internal security and establishment of Amotekun security network.

According to Imonivwerha (2004.82), security is "the feeling of being safe and protected. Here, security is presented to mean something that provides a sense of protection against attacks, harms and threats, or loses. Again, it is captured as a precaution taken to keep something safe from hurt, attack or risk. Analysing security from the view of the grand strategy for internal security management, it focuses on collective and team efforts for protecting, defending, safeguarding keeping, and preserving the collective values of people and their environment from elements or any form of threat, destruction, unsafe for having uninterrupted progress and survival. Beyond the police effectiveness in protecting people and keeping an environment safe, a situation of rapid growing of unemployment and incessant economic recession among others have debilitating effects on internal security of any environment and it's congruent of political, socio-cultural, and economic order.

Viewing security from all of the above clarifications, it is a sum total of measures taken to prevent and protect life, property and environment from threats. In this sense, the Nigeria police force is responsible for ensuring the safety needs and enabling environment to be very conducive for uninterrupted peace and progress of Nigeria. Beyond the police, security also implies that the government leadership has guaranteed citizens' wellbeing and good governance encapsulated with appreciable disappearance or absence of vindictive treatment, bullying of innocent citizens, disrespect to rule of law, unemployment, other symptoms of hardship and bad governance; the Boko Haram terrorists, herdsmen killers, kidnappers, with other banditries in Nigeria are repelled while public safety, peace, and wellbeing are well assured (Williams, 2008; Osuntokun, 2022).

The South West and State of Internal Security in Nigeria

By the above concept, attention is drawn to the extant situation of internal security in Nigeria. This knowledge is sacrosanct for appreciable response to the choice of Amotekun by the South-West State Governments. As noted earlier, Ekiti, Lagos, Ogun, Ondo, Oyo and Osun States comprised the defunct Western Region and the present South-West region. Also being referred to as the Yoruba states in Nigeria, in the recent geo-political zoning of Nigeria into six, they are named, the South-West zone. This explained why Amotekun is being addressed as a regional or tribal inclined security network for the defence and protection of the people in that axis of Nigeria.

Regarding the thrust of the above concept, considerable literatures on the state of Nigeria internal security showed a pathetic, very depressing and agonising manners in, which colossal life and property are helplessly wasted daily. Odekunle (2014:34) lamented the growing and uncontrollable state of insecurity in Nigeria when he said:

“The immediate situation however, is that figuratively, blood has been flowing on the streets of many of our erstwhile commercially-viable cities, particularly Maiduguri, Jos, Kano, and Kaduna, which have been transformed into semi-battle-zones with battle ready with government security operatives and citizens living in perpetual fear of un-predictable but likely eventualities of mayhem.”

In a similar view, Nwolise (2019:100-101) presented a charming and elusive explanation that tends to have captured the core theoretical narrative of this discussion when he succinctly posited:

“May be our leaders in their in-fighting and struggles over national resources, have not noticed the great malady Nigeria is currently facing. Nigerian youths have revolted against the society after decades of neglect. Those that could not bear staying here anymore left for abroad, and hundreds of them have died in the deserts of Morocco trying to cross to Spain, or in the seas. Many have walked into slavery abroad. Thousands of those who chose to remain in Nigeria have taken to kidnapping, armed robbery, yahoo-yahoo, yahoo-plus, (the spiritual dimension of yahooping) ritual killing,

ritual rape, grave hunting for human parts, cattle rustling, cults and cult war, exam malpractices, marks buying, professional assassinations, political thuggery, vote buying, militancy, separatist agitation, terrorism and insurgency.”

Osuntokun (2022) described the greatest problem of Nigeria at the moment as threats to internal security. As he noted, this problem has among others given rise to food scarcity, unemployment, and socio-economic crisis, unstable and poor living condition. Apart from slowing down the rehabilitation of roads for fear of kidnapping of the expatriate supervisors and infrastructural provision to physically improve people standard of living around the country; the threat to internal security has continued to create more tensions, sorrows, hopelessness and doubts about the survival of Nigerians. This has led to mental breakdown of many young people who can no longer perceive good future in this country. As further noted in Osuntokun (2022), many of these young people are taking the insane steps of going to Europe by the Sahara desert and the Mediterranean Sea while and they are being killed and drowned in the process. He concluded that the problem of internal security in Nigeria has lingered for a while but it has been worsened by the unwillingness of the present administration to tackle it when it began with herders killing farmers first in the middle belt of the country before it spread to all Nigeria.

In a related and pathetic mood as well, Ojo et al (2022) lamented the reckless and scores of terror being unleashed by suspected herdsman, which resulted into unease calm across the nook and cranny of the South West recently. As reported, eight villages in Imeko-Afon local government area in addition to Ohori farmers at Idofa village of Ogun State were simultaneously attacked by herdsman with about ten persons killed while property worth millions of naira wastefully destroyed. Similarly, herdsman allegedly attacked several communities in Ondo State among, which includes Akoko division and Aguga-Akoko and not less than five people were also killed with many people injured and property worth millions of naira were destroyed.

Apart from the herdsman invasion that is fast spreading across other communities of Nigeria and especially the South West like a burning fire, there are several reports of massive kidnappings of people and the victims were children, women, students, and traditional rulers. To some people, this daily attacks and kidnaps implies that nobody is safe in anymore in Nigeria. As recorded in Osuntokun (2022),

the presence of the police on the road and the constant arrest of these hoodlums have not even improved the situation. The kidnappers and other criminals continue to have upper hands to the extent that road users are avoiding almost all the roads in Nigeria. For example from Akoko land in Ondo State, a traditional ruler, Oba Joel Daodu spent couple of days with kidnappers in the bush before he was released after payment of ransom in Akoko North-West Local Government Area. In the same area, a naval officer was kidnapped and it was the intervention of the Military detachment from Akure that assisted the officer to regain freedom after spending eleven (11) days with the criminals in the bush. Within a week, entire communities in Ogun State, which among others include Eggua, Iselu, Orile-Igbooro, Ijaka, Agbon-Ojodu, Igan-Alade, Asa, Ohunbe, Ibaayun, Ibeku, Oja-Odan and other neighbouring villages in Yewa North and Imeko-Afon Local Government Areas were invaded by herdsmen in which many people were killed; property worth millions of naira and numbers of houses were destroyed (Kayode, 2021). Similar cases were reported in Oyo, Ekiti, Osun, and Lagos States including other parts of Nigeria without any solution in sight (Akowonjo, 2004; Ojo et al, 2022).

A clinical review of the foregoing corroborated the joint statement of Nigeria two former Presidents, Chief Olusegun Obasanjo and General Ibrahim Babangida, which was released by Kassin Afegbua, on 29th July, 2012 as cited in Odekunle (2014:40-41) that:

“Internecine crises are ranging across the land unabated with damaging consequences on the social, political, and economic life of Nigeria. And, in the process, untold hardships are being visited on all citizens in one form or another on a daily basis. The loss of innocent lives being experienced by the day across the nation is simply unbearable. Currently, the nation is gripped by a regime of fear and uncertainty that virtually all citizens have difficulties going about their normal day-to-day lives without great trepidation. This cannot be allowed to continue. A deeply worrying trend that is emerging from this terrible situation is that a pervasive cynicism is beginning to set in so much so that millions of true Nigerian patriots are starting to question the platform upon which the unity of this country rests.”

From the discourse so far, it is clear that survival is seriously threatened in Nigeria. Hence, the South West zone is unsafe. As prescribed under section 14 (2) (b) of the 1999 Constitution of the Federal Republic of Nigeria, “security and welfare of the people is the primary purpose of government.” This noble Constitutional mandate is not achieved when farmers, children, women, and traditional rulers are not free from kidnappers are living in fear of attacks by herdsmen. But, how will people get food to eat when farmers are not allowed to go to farm and women cannot go to market? This is why it is critical to unearth the causes and the remedial actions to prevent further degeneration of Nigeria state of current insecurity.

The Legal Question of Amotekun Security Outfit in Nigeria

Perhaps, as a catalyst to put an end to the incessant ritual killings, rapes, kidnappings and especially to prevent further infiltration of Boko Haram bombers and herdsmen aggressors into the South-West region, the State Governments consisting of Osun, Ondo, Ogun, Oyo, Ekiti, and Lagos organised a regional security summit to look at the possible way to restore security, liberate their people from criminals and secure the region. Of course, the outcome of the summit for the first time in the annals of Nigeria crime fighting and internal security management led to the establishment of a security outfit named “Amotekun.” on the 9th of January, 2020. In this sense, Azeez and Gbadamosi (2020:29) cited the Governor of Ondo State, Rotimi Akeredolu saying: “We wish to reiterate that the Amotekun Corps is a child of necessity and was purely borne out of the need to explore other means of securing our forests and protecting all those who do legitimate business within the South West zone.” In Yoruba dialect, Amotekun is called Leopard. In relation to internal security and crime issues, there is a strong faith that leopard has magical and physical powers to detect and arrest any criminal in anywhere. Hence, there can be no opportunity for crime and criminality in the South-West anymore. The Federal Government through the Minister of Justice and Attorney General of the Federation, Abubakar Malami and some other thinkers described the regional security outfit as a violation to the extant Constitution of Nigeria. There are some other distinguished people who have argued that the South West Governments cannot fold their arms to watch their people being destroyed by criminals when the federal government that has the Constitutional power to guarantee the Nigeria police competence to effectively protect and secure Nigerians are overwhelmed by criminals.

This two sided views, tactically led to legal question of the Amotekun security outfit of the South West of Nigeria.

To attempt a meaningful discussion on the legal status of the Amotekun security outfit in the South-West of Nigeria will rely on the stance of the extant Constitution of the Federal Republic of Nigeria. It will be looked at in terms of powers, authorities and functions in which each level of government are given by the Constitution to exercise. Accepted in this sense, the Constitution is defined as a set of rules that establishes the institutions of the state. Among others, it establishes and defines the levels of government, their powers, and functions; sets their limits. As a creation of the Constitution, Mbah (2003:37) asserted that government includes the “sum total of the legislative, executive, and judicial bodies of a state.” For Akingbade (2012:135), “Constitution is the supreme law. It regulates and controls the government of a state. The rulers derive their powers from the Constitution. Therefore, they are required to operate within the ambit of the law.” This conformed to is section 1 (1) of the 1999 Constitution of the Federal Republic of Nigeria that Constitution is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria (Federal Republic of Nigeria, 1999).

As already discussed in the introductory part of this paper, section 214 (1) of the 1999 Constitution of the Federal Republic of Nigeria prescribed that “there shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section, no other police force shall be established for the Federation or any part thereof.” This section prohibited any state or region from the establishment of a parallel police force in Nigeria. It was in this sense that the establishment of Amotekun as security outfit of the South West region of Nigeria was argued to be constitutionally illegal. Also discussed earlier, is the fact that the same extant Constitution, under Part 11, Powers of the Federal Republic of Nigeria, section 4, Second Schedule, Part 1, item 45, equally prescribed that the police and other government security services established by law are the exclusive functions of the federal government. This also makes the establishment of Amotekun as the South West regional security outfit as inconsistent with the Nigeria extant Constitution. In addition, section 153 (l) and (m) of the Constitution prescribed for the Nigeria Police Council and Police Service Commission. It also defined their memberships and functions. As stated under item 27 of the third schedule of the above-named Constitution, the Nigeria Police Council comprise:

- a) The President who shall be the Chairman;
- b) The Governor of each State of the Federation;
- c) The Chairman of the Police Service Commission; and
- d) The Inspector-General of Police

In line with item 28 of the third schedule, the constitutional functions of the Nigeria Police Council include:

- a) The organisation and administration of the Nigeria Police Force and all other matters relating thereto (not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force);
- b) The general supervision of the Nigeria Police Force; and
- c) Advising the President on the appointment of the Inspector-General of Police.

According to item 29 of the same third schedule of the above named Constitution, the membership of the Police Service Commission consists of:

- a) A Chairman and
- b) Such number of other persons, not less than seven but not more than nine, as may be prescribed by an Act of the National Assembly.

And, by virtue of item 30 of the third schedule of above named Constitution stated that the Commission ha power to:

- a) Appoint persons to offices (other than office of the Inspector-General of Police) in the Nigeria Police Force; and
- b) Dismiss and exercise disciplinary control over persons holding any office excluding the Inspector-General of Police.

For the operational control of the Nigeria Police Force, section 215 (2) empowered the Inspector-General of Police while subsection (3) allowed the President or such other Minister of Government of the Federation as may be authorised by the President to give the Inspector-General of Police such lawful directions with respect to

the maintenance and securing of public safety and public order across the country (Federal Republic of Nigeria, 1999).

Viewing from all of the above, the authorisation of Amotekun security outfit for protecting the South-West people violated the extant Constitution of Nigeria. This supported Okodolor (2019) that no State Government either as single or in a group is allowed by the Constitution to establish any outfit for protecting or defending any constituent of Nigeria. But, beyond the alleged breach of the Constitution, one tends to be acquainted with reasons for the establishment of Amotekun security outfit by the Governors of the South West of Nigeria. It is also necessary to understand the objectives of the two days security summit held from 28th to 29th June, 2019. According to Africa adage, “There is no smoke without fire.” As Kayode (2021:7) cited the lamentation of the Governor of Ogun State, Dapo Abiodun probably over the misrepresentation and inadequate handling of criminals who are among others killing, bombing, kidnapping and robbing innocent people in Nigerian especially people of the South West zone when he said: “In whatever form, colour, or ethnic group, a criminal is a criminal. We condemn all forms of crimes and criminality, regardless of the ethnicity of the perpetrators.”

As observed in Ajayi (2019), things seem to be no longer at ease, when all the South West Governors of Nigeria agreed and held a two-day security summit in Ibadan where the host Governor belongs to another political party to cry out to the world over the intolerable growing of insecurity facing their people and their resolution to establish security outfit to stop further spreading of the herdsmen and the Boko Haram who were identified as the major criminals among others that attack their famers, bomb, rape, rob, kidnap, and kill their people cruelly without reasonable challenge. According to reports, within a week, over eleven communities, namely, Eggua, Iselu, Orile, Igbooro, Ijaka, Agbon-Ojodu, Igan-Alade, Asa, Ohunbe, Ibaayun, Ibeju, Oja-Odan and other adjoining villages (all in Yewa North Local Government Area of Ogun State) and Imeko in Imeko-Afon Local Government Area of the same state were attacked and destroyed by the killer herdsmen with over fifty-six people allegedly killed; hundreds sustained various degrees of injuries; several houses were set ablaze by the rampaging herdsmen hoodlums (Kayode, 2021). In Ondo State, the regent of Akungba-Akoko, Oluwatoyin Omosowon, was kidnapped along with three others. Also in Ago Ajayi, the wife of a traditional ruler in the state, the Orunja of Odigbo, Oba Rufus Akinrimade,

two of her daughters and the palace driver were kidnapped. Unfortunately, this criminal rebellion is spreading fast (Gbadamosi et al, 2021).

According to the statement of the Governor of Oyo State, Seyi Makinde, well documented by Olaniyi and Oyewale (2021:1&6), “The acts of criminality being tagged farmers-herders clash is a clear case of terrorism and a case of crime against humanity. Those who unleash attacks farmers, who kidnap fellow Nigerians, who kill and rape women are no bandits but terrorists. When injustice becomes the law resistance will be a duty. What is on the ground now is beyond rhetoric. What we want to achieve is securing Yoruba land. Similarly, the communiqué issued at the end of the two days Security Summit is not indifferent from the above discourse. As it was read in part, “that the Yoruba nation is deeply worried by the unfolding anarchy, particularly as it affects the South-West, almost rendered comatose by daily occurrence of kidnapping, arson, maiming, destruction of economic facilities and killings.”

From the foregoing, there is no doubt that all is not well in Nigeria. An Africa adage says: “When the grass-field is on fire, the grasshopper gets restless.” A similar adage holds that “when the stone climbs up, the earthen pot becomes afraid.” Without urgent actions of commitment to tackle the heaps of bad governance that is now igniting flames of insecurity; blurring socio-economic issues; threats of disintegration; breakdown of law and order; these are the line of those who saw nothing technically wrong in the establishment of the Amotekun security outfit as alternative approach to rescue citizens from criminal threats and guarantee security in the area.

So, it is crystal clear that the establishment of Amotekun security outfit has no legal backing of the current Constitution of Nigeria. This may have informed the statement of the Governor of Ondo state, Rotimi Akeredolu that establishment of the Amotekun security outfit is a mere child of necessity that was only borne out of their need to explore other means to safeguard and secure their people (Azeez and Gbadamosi, 2020). Similarly, the view of the Governor of Oyo State, Seyi Makinde did not seem to have doubted the constitutional rights of the federal government as responsible for the internal security functions of Nigeria. It rather exposed some sad repercussions of the inability of the federal government to secure Nigerians and especially the agonising threats of herdsmen, Boko Haram with their allied banditries in the South West zone and their resolve not to fold their arms and open their eyes to watch their people helplessly being killed perpetually anymore; and hence, his claims

that when injustice becomes the law, resistance will be an inevitable duty (Olaniyi and Oyewale, 2021).

Causes of Security Breakdown in Nigeria

Number of factors can be traced to the internal security upheaval in Nigeria today. As exposed from the issues discussed in this paper, the incessant killings, kidnappings, assassinations, rapes, notorious herdsmen attacks on farmers, Boko Haram bombings, invasive hardship, intimidations, stealing, terror, latitude of other banditries and the unending blowing winds of disorder around Nigerians, all have cusses. Quite often, the police are blamed by most thinkers for inability to maintain efficient internal security. This may not be disputed due to the fact that the Nigeria police force was recognised by section 214 (1) of the 1999 Constitution of the Federal Republic of Nigeria as the lead agency of the country's internal security. Oikhala (2020:14-15) among others, "identified bad leadership, gullible and docile characters of many Nigerians as critical contributing factors."

Relying on the outcome of this paper, the heaps of state of security breakdown in Nigeria is mainly caused the leadership who does not even know where and when to draw a line of demarcation of being an administrator and a politician. This has caused prolonged and systemic crises of governance in Nigeria, which in turn brings about other consequential factors. Among them are the total disconnect between rulers and the ruled; abdication of safety and welfare functions to citizens by government and its leadership. The outcome has turned the Nigerian state into world headquarters of poverty; large scale unemployment and underemployment; institutionalised corruption; a breeding ground for crimes and criminality; depressive level of living standard and so forth. In short, this paper saw the failure of leadership as the principal cause of internal security breakdown in Nigeria. The narrative that bad leadership in Nigeria is breeding poverty; shielding criminals; promoting disorder; and moving this country into a failure status must not be misconstrued. It is not rather a flattery nuance, but an attempted wake up anthem for the Nigerian leadership from its slumbering to take its responsibility to save Nigeria from certainty of disintegration. With the lingering shortage of manpower in all the public sectors such as the police, custom, migration, correctional service, ministries, among other extra-ministerial departments in local, state and federal governments, no attempt is made for regular employment exercise as measure to

decongest the teeming population of unemployed youths in Nigeria. It is from foregoing that those ruling Nigeria are being called dealers and not leaders.

One other cause of internal security breakdown in Nigeria is that Nigeria laws are always been implemented with fear or favour. For this reason, Nigeria is being ruled by man and not law. In this circumstance, the police are seen as an agent of the rich, the powerful and at best, the appendage of sitting government and political party in power. In this case, Government leadership is not interested to hear people complaining. Those who attempted to complain are being as treated as criminal. Hence, common Nigerians are managing to live in deception just to please the government leadership that is perceived to be interested to seeing people suffering and smiling. In fact, government leadership pay more attention to listens to liars and mischievous elements and regards those with genuine complaints as rebellion and put them on watch list. This heightens tensions, encourages injustice and breakdown of law and order. This is also where government leadership often claimed to be on top of all situations in which criminals are being set free while law abiding citizens who wanted government to know the true situation on ground are made to suffer perpetual injustice. As Odekunle (2014:34-35) puts it, “the situation is compounded by the repeated claims of government and its agencies that the situation is under control. No stone will be left un-turned to bring the criminals to book.” Even, when the situation is growing worst and the reality on ground is more perplexed, frightened, threatened and people are helpless. Government leadership is interested to be praised that its governance efforts are excellent and Nigerians are very comfortable; environment is well fortified and habitable. But, in reality, farmers cannot go to farm; other people cannot go about their lawful business; all for fear of herdsmen attackers, Boko Haram bombers, kidnappers and other banditries. According to the participant of the South West Security Summit, the frequent herdsmen attack against the people of the South West is terrorism and not farmers-herders’ clash as being claimed in some quarters (Olaniyi and Oyewale, 2021). Even, if Amotekun has legal status to exist as a regional based security, with the systemic mark of political intolerance and bad governance system in the present day Nigeria, how are we sure that it will not be worst for discriminate arrest, false prosecution and vindictive treatment? How are we sure it will not turn to Governor’s Police?

Similar to discriminate implementation of Nigerian laws is that of lingering weak law enforcement. This is an essential constituent of impediment to effective crime

control and management of internal security in Nigeria. As it connotes, law is strengthened, its effectiveness and efficiency is well achieved when certainty of punishment is not in doubt; but it is well guaranteed. Hence, its hypothesis that certainty of punishment is a greater weapon against criminality than severity of its imposed penalty. This explains that death sentence might not necessarily be a very strong deterrent for crime commission. But, a criminal is likely to avoid committing a crime if it is certain that once a crime is committed, the offender will be caught and will be made to face the wrath of the law. In Nigeria, those who killed the Editor and Publisher of News-watch Magazine, Dele Giwa on 19th October, 1986 and the Attorney General of the Federation and Minister of Justice, Chief Bola Ige on 23rd December, 2001 and many others are still being hunted for arrest and prosecution. Therefore, it looks strange, worrisome and even increasing insecurity when some Boko Haram terrorists that killed numbers of innocent people are government security agencies, which are labelled as faceless criminals are still being granted amnesty as repentant criminals. The herdsmen are killing farmers and attacking communities with much confidence. This makes the statement of the Governor of Ogun State, Dapo Abiodun cited in Kayode (2021:7) that “In whatever form, colour, or ethnic group, a criminal is a criminal. We condemn all forms of crimes and criminality, regardless of the ethnicity of the perpetrators” very challenging and something to deeply think about for urgent remedial action.

Job creation is a must variable for building survival and secured political system. When increasing unemployment of university graduates and other school leavers are allowed to exist, most of the idle job seekers can be easily lured into criminal activity by being enlisted to a criminal syndicate such as Boko Haram terrorist, kidnapper, cyber-criminal, yahoo plus, armed robber, or other banditries to make security threats in Nigeria increase and grow out of control. There corroborated the Africa saying that: “An idle mind is a devil workshop.” In this case, an idle mind is the person whose freedom of economic opportunity or propensity to earn legitimate income for survival has been thwarted, threatened and deprived. It is in this sense Nwolise (2019) maintained that when freedom of people is threatened, their socio-economic abilities are limited while fear and lawlessness become parts of their daily living. This also, corroborated the narrative that when injustice becomes law, resistance will be a duty. With or without employment, a person must eat. Beyond eating food, a person is not expected to go naked because there is no job. Therefore, basic needs become a must variable for people with or without employment to earn legitimate income for people to survive. A person is then thrown into the altar of ‘whatever means are available to

engage with.’ This explains how unemployment can unavoidably send many people into crime that leads to fierce threats to freedom, security and good order in a country where government has failed to provide job opportunity for citizens.

Finally, corruption is one of the cankerworms that have been causing increased crimes and internal security breakdown in Nigeria today. According to a narrative, the phenomenon of corruption has blossomed beyond rational contemplation. Such story has confirmed the piteous state of Nigeria as one of the world’s most corrupt country and headquarters of poverty. Apart from encouraging the current hybrid insecurity in Nigeria, it has gravely flawed the governing structure and process of the Nigerian state; upset the functioning system of government; brought about an increasing institutionalised inequality in the nation resources distribution; inefficient enforcement of existing laws; disrespect to rule of law; culture of offering preferential treatment to certain individuals; reckless expenditure of public fund, which includes unnecessary foreign trips by public official; inadequate accountability mechanisms and infringement of due process; monetisation of politics and public life; religious divides, hybrid nepotism and tribalism in the running of government and conduct of its business; turning political offices as sources of quick access to self-riches; political instability as well as the weakness of social and government mechanism; incompetent leadership of government; inadequate and inefficient police force and police structure; in-fighting and resources struggles by political leaders; and intermingling security issues with politics. It is all of this that prompted the view of Achebe (1983) that the trouble with Nigeria rests squarely on a failure of leadership. As noted in Oikhala (2019), when leadership is visionless, the fiscal structures and other resources of a nation would lack maintenance culture. This is where the bastardisation of internal security architecture, distortion of socio-economic and national values has a base; and this where symptoms of a failing state got its root. It should not be seen as understatement that most Nigerian leaders have been preoccupied themselves with personal interests as against public interest and hence, little attention is given to maintain the Nigeria police force, which has largely contributed to its inability to carry out its statutory security functions. This has caused emergence of different criminals with their different crimes activity in terrorising and threatening the survival of Nigerians and the country.

In line with this paper and on the issues raised, bad governance has been described as root of all evils. It has been the factor bedevilling the Nigerian state. Hence, all the questions raised in this paper are all symptoms of it. Based on the

findings of this paper, it cannot be out of place to scream for good governance in Nigeria. But, this good governance can only be feasible by the competent action and character of government leadership who coordinates the business of government and pilots public affairs. It is in the interest of this article that bad governance will be compromised if a government is led by an efficient, dynamic and people-oriented leadership. Like the police and other security agencies fighting insecurity in Nigeria, the Amotekun security outfit might not be able to achieve its expected magic even as a local security network without good leadership. It was bad leadership that has led to the unforgettable operation wear tears in the defunct Western Region, which the abolished local government police forces allegedly contributed. Ohonbamu (1972) gave pathetic but detailed account on how the local government police forces adopted in the defunct Western Region were used as instrument for oppressing political opponents by the government in power. As he explained, there were mass recruitments into the local government police forces of party thugs and stalwarts. It was documented also that these local government police forces were disbanded by the Federal Military Government because they were used for partisan political objectives for brutalisation of political opponents; they were corrupt, unkind and brutal to members of the public. In fact, this was successfully used to buttress the argument against state police in the last 2014 National Conference in Nigeria.

It is somehow sad that some State Governors have started to receive public complaints about the excessive behaviour of some personnel of their newly formed Amotekun security network. As reported by Badru (2021:29), the National Association of Nigerian Students in a statement jointly signed by the Association's Chairman in Oyo state, Comrade Oluwafunmbi Mayowa Opakunle; General Secretary, Ojetola Babatunde; and Public Relations Officer, Comrade Adeleke Quadri expressed their lamentations over the recurrent misdemeanours, assaults, and victimisations to innocent citizens by the Amotekun operatives. It recalls that these acts were a replica of the causes of the aggravated "#EndSars" protests that shook Nigeria. According to the statement, "we are giving the Oyo State Government a 72 hour ultimatum from Monday to attend to these issues or await more active response from the association; which implies that there will be confrontations in our own ways by Thursday, January 14, 2021, if the state government remains indifferent to us." Also, Bankole (2021:1&8) reported that the Ondo State Youths representative, Oluyemi Fashipe has raised alarm over the rising spate of brutality and harassment among the Amotekun security

personnel in the State and urges the State Governor, Rotimi Akeredolu to urgently call them to order before the situation deteriorates to a total breakdown of order in the state.

Under this present political dispensation, can we say that most politicians have learnt lessons from their past mistakes? Can we also say that most of these politicians have stopped recruiting or using political thugs to circumvent electoral processes to gain political powers in an odd manner of ‘do or die?’ Can we further say that principles of democracy are now being respected when one person can still parade himself as the superman of politics in some of these states? It will be recalled that all of these were part of the generic issues, which triggered violence and breakdown of law that led to operation wear tears in the defunct Western Region. It is very in doubt that Amotekun security outfit can be efficient to reduce crime and maintain internal security in the face of bad governance in Nigeria. In fairness, do we actually require more than the services of the Nigeria police force with the complementary efforts of the Military to effectively fight crime and maintain a perfect internal security in Nigeria if there is a government whose leadership is driven with the passion of transparency, accountability, and wellbeing of citizens. Why should the faceless Boko Haram and the mere herdsmen with other criminals holding this country to ransom? Why should faceless criminals or unknown gunmen bear sophisticated weapons than the government internal security agency? What shall we say that has caused the inability of the Federal Government to maintain an efficient police system for Nigeria? All of these are mere symptoms of bad governance by leadership. It is in this context that the preoccupation of this paper is focused on leadership that will be cultured to govern in public interest for Nigeria to have internal security in order to bounce back in progress and good order.

Nejo (2022) documented that residents of Irede community in Ajebandele area of Ado-Ekiti on Monday, 2nd of May, 2022 protested against the increased kidnappings and robberies in the community. As he reported it, one of the protest leaders, Rotimi Alawode, said: “the attacks are becoming too much. When they are not kidnapping our people, armed robbers are attacking them, even in the broad daylight. We cannot sleep with two eyes closed.” Amotekun security outfit is a uniform operative jointly established by the state governments of the South West zone. The security outfit should be well and properly controlled to function. It is curtailed that no government security outfit can be efficient without attractive conditions of service and adequate logistics. The is paper is worried about the financial strength of some of the South West governments to properly maintain Amotekun security most of the state governments

took bailout from the federal government and are still unable to pay a living wage to their public servants. According to Alechenu (2016), President Muhammadu Buhari said about twenty-seven (27) out of the thirty-six (36) states, have difficulties in paying basic salaries of their workers.

From what is found in this paper, the rising insecurity in Nigeria should not be largely blamed on the police as the lead agency for the country's internal security function. Also, the South West zone people should not rejoice that Amotekun has emerged to relieve them from the spate of increasing insecurity to guarantee their safety even if it has gained the constitutionally recognition without people-oriented leadership with in Nigeria. As the governance and political development in Nigeria have reached the equilibrium where a citizen pays huge amount of money for an expression of interest to serve his people as: (1) House of Assembly, two million naira, (2) House of Representatives, ten million naira, (3) Senate, twenty million naira, (4) Governor, fifty million naira, and (5) President, one hundred million naira for a mere expression of interest; is survival of internal security threats in Nigeria not more at stake? It is not even strange that many politicians are rushing to pay the money because the politics of service in Nigeria has turned a simple lucrative business that has fast return on investment.

CONCLUSION AND RECOMMENDATIONS

The paper examined the legal status of Amotekun Security Outfit that was recently established by the State Governments of South-West zone comprising Ondo, Ogun, Oyo, Osun, Ekiti, and Lagos and it has raised a legal question. It also looked at the causes of security breakdown in Nigeria. This was aimed at understanding what had propelled the option of Amotekun as it was observed to be the first of its kind in the annals of crime fighting and internal security management in Nigeria. The paper found that section 214 (1) of the 1999 Constitution of the Federal Republic of Nigeria recognised only the Nigeria police force to perform the duty of internal security in Nigeria. The reference section of the same Constitution went further to prohibit the establishment of any police force in any part of the Federation. In addition, Part 11, section 4, Second Schedule, Part 1, item 45, of the same Constitution allocated to the federal government the exclusive function, establishment, maintenance, and control of

the police and other government security services in Nigeria. To this extent, the paper found the Amotekun security outfit of the South West of Nigeria as illegal.

On the causes of security breakdown in Nigeria, the study found the heaps of causes on bad leadership. The crime situation has continued to be degenerated daily to a hybrid thumping tensed security breakdown in Nigeria because the leadership does not even know where and when to draw line of demarcation of being a politician and an administrator. This has caused a prolonged crisis of governance, which in turn manifested into culture of preferential treatment, inequality in resources distribution, reckless spending of public funds, monetisation of politics and public life, hybrid nepotism, religion divides and tribalism in the running of government business; government abdication of security and welfare of citizens, rain of official corruption, scream of unemployment and underemployment; implementation of law with favour and poor perception of police as agent of the rich people and appendage of the sitting government and political party in power; unhealthy living condition, disconnect between the ruler and the ruled, injustice and absence of rule of law were found as the causes of security breakdown in Nigeria.

Based on the above findings, the paper concluded that the establishment of Amotekun as a regional security by the South West Governments to fight crimes and repel the herdsmen invasion in their area is inconsistent with the provisions of the 1999 Constitution of the Federal Republic of Nigeria and hence, it lacks the legal competent to reduce crimes and manage internal security in the South West zone of Nigeria. The study further concluded that unless critical remedial actions are taken against bad leadership to scream for citizen-oriented governance where the political leadership will know when and where to draw a line of demarcation of being an administrator and a politician; the hope for surviving injustice, terror, lawlessness, hardship and freedom in Nigeria will continue to be a daydream. In the light of the foregoing, the paper suggests the following remedial actions as effective solution

- 1) The Attorney-General of the Federation and Minister of Justice should not just describe the establishment of Amotekun as a regional security unit to protect South-West people as illegal and violation of the Constitution, but he should intimate the Federal Government to urgently rise up to its constitutional functions. Besides, the Attorney General of the Federation and Minister of Justice should urgently ensure that the herdsmen and Boko Haram with other

banditries stop their barbaric attacks, killings, maiming, kidnappings, and ritual killings among others to enable Nigerians to start going about their normal day-to-day business without fear. This is possible if the Attorney-General of the Federation and Minister of Justice can ensure that any person arrested is punished according to law without attachment of any sentiment.

- 2) The Nigeria Police Force should ensure episodic analysis of crime, types, geographical and geographical distribution, categories, and frequencies; identify the perpetrators and sponsors in a data bank to ensure a proper policy for crime control and internal security management. This is feasible, if the Nigeria police force adopts open and grand comprehensive policing strategy to ensure participation of all stakeholders in every community. In addition, the police should be oriented and stop being correct the perception of being used as agent of powerful and appendage of the sitting government and party in power. Again, this is doable when the police adopt open and grand comprehensive policing approach that will carry along all the relevant stakeholders within the neighbourhood.
- 3) The Nigeria Police Council should urgently ensure proper organisation, administration, and supervision of the Nigeria police force and start to advise the President well on the appointment of the Inspector General of Police. This will help to address all the lingering lapses in poor maintenance of the police by the federal government; deficient police management and crisis of leadership in the force. Also, it will assist to build up a workable framework, which will improve the police performance.
- 4) The Federal Government of Nigeria should not allow security issues to intermingle with politics. A three day biannual sensitisation programme should be organised for all categories of Chief Executive Officers and other principal officers in the three tiers of government in Nigeria by the National Orientation Agency. This will help to educate them to be well acquainted that politicking, political struggle, and partisan politics stop and administrative governance starts after a politician has grabbed political power and administered an oath of office. The situation of security breakdown in Nigeria gets worst everyday because the leadership does not know when and where to draw a line of demarcation of being an administrator and a politician. It is this gap in governance process that makes Nigerian leaders to allow their political adviser to be conveying colloquium and addressing press conferences on security, health, education, and other public issues, which they have no knowledge and outside their advisory

roles to their principals on policy and decision making. How can a Nigerian leader allow his Special Adviser to issue press release on internal security matter? Things must start to be done in a proper and right way to improve governance process.

- 5) The South-West Governments should not throw a baby out with the bath water. Their powers and limits of the offices they occupy are well defined by the Constitution. They should not because of inability of their counterpart federal government to perform its constitutional role to breach the provision of the Constitution that brought them into power and, which they have sworn to respect and preserve. The federal government should be held responsible for the death of all people that hoodlums killed and damage to property. To achieve this, the Attorney General and Commissioner for Justice of each of the six States of the South West should individually and collectively sue the federal government for failure to protect the Nigerian citizens with particular reference to the people of the South West zone and the Attorney-General of the Federation and Minister of Justice should be included. Also, they should individually and collectively sponsor an urgent amendment of the Constitution to either allow for a state or a region to establish and maintain a security outfit. In addition, the South-West Governments should address the security breakdown and the continuing barbaric killings of their people by herdsmen and other criminal threats at the meeting of the Nigeria Police Council, which they are all members.
- 6) The leadership should allow common Nigerians to have access to basic necessity of life. There should be adequate employment opportunity for job seekers and reasonable and sustainable labour rewards or income should be provided for Nigerian workers. In addition, self-employment opportunity should be encouraged. This is possible when enabling environment and security of life and property are well guaranteed through good governance. Importantly, the political leadership should be conversant with where and when to draw a line of demarcation of being a politician and an administrator. This will help the leadership to stop the intermingling of security or other governance issues with politics. Every Nigerian should respect the rule of law and the leadership should lead by example. Above all, government leadership should put public interest over and above self-interest and should govern with fear of God. This will assist to compromise bad governance; reduce corruption, preferential and vindictive treatment; and it will enhance transparency and accountability in Government

service where the rulers and the ruled should work together for the common good of Nigeria.

- 7) On the final note, every failed, despotic and corrupt government leadership should now be prosecuted in Nigeria. To achieve this, the National Assembly in conjunction with the House of Assembly should enact a law for the establishment of a special tribunal with powers to prosecute, convict, and sentence any failed leadership of the Federal and State Government for the remedial offences under (1) and (2). While (1) is recommended for the prosecution of any failed leadership of the Federal Government; (2) is recommended for the prosecution of any failed leadership of the State Government. These two leaderships are liable to vicarious liability. For (1), (a) causing death of citizens in Nigeria, (b) causing grievous harm to Nigerians (c) failure to protect and secure the Nigerian citizens and property (d) causing economic sabotage in Nigeria and making life poor and hard for Nigerians (e) corruption and tolerance for bad governance (f) gross negligence (g) failed governance and causing disorder. While in (a) to (d); the offender should be sentenced to death by hanging on conviction and in (e) to (g), the offender should be sentenced to a term of imprisonment for life with hard labour. For (2), (a) corruption and tolerance for bad governance (b) gross negligence (c) failed governance and causing disorder. The offender should on conviction be sentenced to a term of imprisonment for life with hard labour. These severe remedial actions will make government business to be taken serious by every public servant and government leadership will be made to take responsibility for the promotion of good governance. It will enable the federal government to maintain effective and efficient police system for better performance, which will curb security breakdown and promote wellbeing in Nigeria.

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