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# The War Against Terrorism: Examining Nigeria's Legal and Political Responses to Boko Haram Terrorists

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## ABSTRACT

*The war against terrorism is an international war to defeat terrorist organizations in every corner of the globe. Countries like Nigeria that is unfortunate to find itself as a base for a terrorist group such as Boko Haram has the primary responsibility to initiate and implement counter-terrorism measures to defeat the terrorists. However, Boko Haram terrorists have survived and persisted in their murderous attacks for over a decade, despite the efforts of the Nigerian government to eliminate their existence. This article critically examines Nigeria's legal and political responses to combating Boko Haram terrorists. This article submits that the responses have not materialized in the defeat of the terrorists because of systemic failures. From a multi-dimensional approach, this article offers recommendations toward defeating Boko Haram terrorists in Nigeria.*

**Keywords:** War against terrorism, Boko Haram, terrorist organizations, impact of Boko Haram terrorism, counter-terrorism recommendations.

## I. INTRODUCTION

Nigeria is a country with a host of social and economic challenges, some of which include ethnic and religious inspired violence and armed struggle. Proclamations and utterances that are based on primordial sentiments have stirred and justified incidence of religious conflicts that resulted in the destruction of lives and properties, especially in the Northern part of Nigeria.

This is quite disturbing because of the steady rise of religious extremism since the 1980s. The long history of religious conflicts in Nigeria has been between the Muslims and Christians in the Northern part of the country<sup>2</sup>. For example, since over a decade the Nigerian government has been locked in internecine battles with Boko Haram terrorists that draw inspiration from Muslim religious ideology.

Although Boko Haram terrorists' activities and the attendant Nigeria's military action take place

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<sup>2</sup> Aminu Mohammed Umar, 'Calhoun: The NPS institutional archive' (2013) [http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun\\_Umar\\_Aminu.pdf?sequence=1](http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun_Umar_Aminu.pdf?sequence=1)

in the North-eastern part of the country, however the social and economic impact reverberates throughout the length and breadth of the country. Nigeria's failure to completely and successfully defeat the Boko Haram terrorists all these years calls for a critical examination of the nature of the responses to the scourge.

The failure casts significant doubt on the capacity and sincerity of the Nigerian government to protect the fundamental right to security of lives and properties of the citizens and residents of the country. The failure also contradicts the internally acclaimed standing of Nigeria as having the strongest military in Sub-Saharan Africa since the last five decades.

It needs to be noted that the issue of Boko Haram terrorists in Nigeria is not only domestic or regional threats to peace and security but part of international terrorism. Boko Haram has attacked security forces, civilians, churches, media houses as well as international bodies within Nigeria such as the United Nations.

Boko Haram terrorists have also pledged allegiance to international terrorist organizations such as Al-Qaeda, the Islamic State of Iraq and the Levant (also known as ISIS) and Al-Qaeda in the Islamic Magreb (AQIM). These international terrorist cells have carried out hijackings of commercial aircraft, kidnappings, assassinations, arsons, public executions, and other atrocities<sup>3</sup>.

Therefore, Nigeria's efforts at curbing the terrorist activities of Boko Haram constitute an important part of the international war against terrorism. The British and the United States governments, including the United Nations, have designated Boko Haram as a terrorist organisation. These countries and the international community have offered different forms of assistance to Nigeria towards defeating the Boko Haram terrorists.

This article critically examines the legal and political responses of the Nigerian state to the activities of Boko Haram with the objective of determining the failure and success of the different responses. This article is motivated by a combination of the current state of the efforts of the Nigerian state to combat the menace of Boko Haram terrorists and the resilience of the terrorists in withstanding the onslaught of the government; and the reason while the government's efforts and responses are yet to achieve the expected outcome of complete and successful defeat of the terrorists.

In subsequent sections, this article briefly discusses the emergence of Boko Haram terrorists in

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<sup>3</sup> A I Ajayi, 'Boko Haram' and terrorism in Nigeria: Exploratory and explanatory notes' (2012) 1(5) Global Advanced Research Journal of History, Political Science and International Relations <<http://augustusconsulting.co.za/bhubhuzz/uploads/2015/01/Boko-Haram-and-Terrorism-in-Nigeria-by-Ajayi.pdf>

Nigeria and historical background to their emergence, including their affiliations to international terrorist organizations. The activities and the impact of the scourge of Boko Haram terrorism on Nigeria's social and economic lives are examined in view of their indiscriminate bombing campaigns against government institutions and civilian populations, including kidnappings of women and abduction of school children.

The legal and political responses of the Nigeria state to Boko Haram terrorism are discussed, with respect to the laws and policies passed by Nigerian government to curb the terrorists and whether these interventions have been effective. In the concluding part, this article examines how the Nigerian state can move forward in terms of defeating Boko Haram terrorist by recommending some strategies the government should adopt.

## **II. EMERGENCE OF BOKO HARAM TERRORISM IN NIGERIA**

Terrorism is coined from the word 'terror', which implicates the image of fear and trepidation. It is an act intended to cause fear and submission in target victims. It is usually unprovoked, random and erratic. Its most potent form of manifestation is through bombings and massive destruction of lives and properties.

Terrorism is also defined as the illegitimate or extra-normal use of violence in achieving either religious, political, or personal causes<sup>4</sup>. The essential purpose is the desire to draw attention or gain sympathy for a cause and the perpetrators of terrorism are usually religious fundamentalists, extremists of right and left of social issues, and underground anti-government organisations<sup>5</sup>.

Until the emergence of Boko Haram, terrorism was alien to Nigeria, even though the country has a robust history of both secular and religious motivated violence. Different ethnic and religious groups have committed acts of violence, which have also taken a huge toll on the socio-political stability of Nigeria as a country<sup>6</sup>. As devastating as this violence had been on the country, they were not usually characterised as acts of terrorism.

Boko Haram started as a local insurgent Islamic organisation, where it was providing social services and preaching strict adherence to Islamic injunctions. However, along the line it made a detour by engaging in violent activities which undermined the legitimate authority of the

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<sup>4</sup> Bruce Bongar and others, *Psychology of terrorism* (Oxford University Press. Copyright. 2006)

<sup>5</sup> *ibid*

<sup>6</sup> Kingsley Uwaegbute, 'Nigeria and the emergence of terrorism: A study of causes and effective strategies in combating terrorism by the government' [2016] [http://www.academia.edu/10029864/Nigeria\\_and\\_the\\_Emergence\\_of\\_Terrorism\\_A\\_Study\\_of\\_Causes\\_and\\_Effective\\_Strategies\\_in\\_Combat](http://www.academia.edu/10029864/Nigeria_and_the_Emergence_of_Terrorism_A_Study_of_Causes_and_Effective_Strategies_in_Combat)

Nigerian government by imposing threat to the existence and unity of the country.

Boko Haram activities have affected the economy of Nigeria, its socio-political development, and peace and security of the country due to increasing attacks and suicide bombings. Boko Haram terrorists want the introduction and imposition of Sharia or Islamic law not only on the Northern part of Nigeria, which is mostly populated by Muslims, but also on the entire country.

The violence perpetuated by Boko Haram terrorists is an alien type of extremism to the Nigerian state. This has resulted in an extraordinary level of insecurity in the country. In Nigeria, there is the unfortunate history of communal-religious conflicts in the 1980s commonly referred to as the Maitatsine crisis which caused mayhem in the form of terrorism. While the Maitatsine crises were not seen as such, it was rather adjudged to be a religious instigated violence which caused havoc in major cities in the Northern part of Nigeria.

The origin of the Maitatsine violence was that an Islamic scholar who migrated from the Northern part of Cameroon led a religious movement which preached a belief that Islam had been corrupted by modernization and the formation of modern States<sup>7</sup>. The Maitatsine movement was made up of bunch of religious fanatics and extremists. Their main objective was to assault and murder the rich and poor, irrespective of religious learnings, who in their belief were not conducting themselves according to the commands of the Quran<sup>8</sup>.

The preachings of the Maitatsine movement were very abusive and provocative especially against established institutions and perpetrating acts of lawlessness against the state. It cannot be denied that these violent disturbances over the years, coupled with terrible poverty, corruption, and religious radicalism in Nigeria, cumulated in the emergence of Boko Haram terrorism in the country<sup>9</sup>.

The emergence of Boko Haram terrorism in Nigeria came about in 2009 from the North-eastern part of Nigeria<sup>10</sup>. There had been suspicion among Nigerians about the emergence of Boko Haram, whether it was an extension of the Maitatsine Islamic movement of the 1980s. Indeed, Boko Haram terrorists may have drawn inspiration from the Maitatsine uprisings which sought

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<sup>7</sup> Salisu Salisu, Afandi Salleh, and Shuaibu & Mohd, 'HISTORICAL EVOLUTION OF BOKO HARAM IN NIGERIA: CAUSES AND SOLUTIONS' (2015) [https://www.uniswa.edu.my/icic/images/Fullpaper/20\\_-\\_Salisu\\_Salisu\\_Shuaibu.pdf](https://www.uniswa.edu.my/icic/images/Fullpaper/20_-_Salisu_Salisu_Shuaibu.pdf)

<sup>8</sup> A I Ajayi, 'Boko Haram' and terrorism in Nigeria: Exploratory and explanatory notes' (2012) 1(5) *Global Advanced Research Journal of History, Political Science and International Relations* <http://augustusconsulting.co.za/bhubhuzz/uploads/2015/01/Boko-Haram-and-Terrorism-in-Nigeria-by-Ajayi.pdf>

<sup>9</sup> Kingsley Uwaegbute, 'Nigeria and the emergence of terrorism: A study of causes and effective strategies in combating terrorism by the government' [2016] [http://www.academia.edu/10029864/Nigeria\\_and\\_the\\_Emergence\\_of\\_Terrorism\\_A\\_Study\\_of\\_Causes\\_and\\_Effective\\_Strategies\\_in\\_Combat](http://www.academia.edu/10029864/Nigeria_and_the_Emergence_of_Terrorism_A_Study_of_Causes_and_Effective_Strategies_in_Combat)

<sup>10</sup> *ibid*

to destroy those they believed were corrupt and false Muslims but in charge of Northern Nigerian political power<sup>11</sup>.

### **(A) Historical Background to Boko Haram Terrorists in Nigeria**

The Boko Haram sect calls itself “Jama'atu Ahlis Sunna Lidda'awati Wal-Jihad”, which means “People Committed to the Propagation of the Prophet's Teachings and Jihad which fight to enforce strict Sharia law on Nigerians”<sup>12</sup>. While Boko Haram itself means *Western education or civilization is forbidden*, it is a Nigerian Islamist militant group made up of a network of circulated cells and groups rooted in the North-eastern part of Nigeria<sup>13</sup>.

As a religious sect, Boko Haram first emerged in 2002 in the form of a peaceful local Salafist Islamic movement founded in the Muslim-dominated Northern part of Nigeria by a radical Islamist cleric, Mohammed Yusuf, across communities in the city of Maiduguri, Borno State<sup>14</sup>. Mohammed Yusuf's avowed intention was to establish God's kingdom in an Islamic State on earth by isolating itself from the wider society and its social and political activities.

Yusuf had opened the group to the populace and political influence and imposed Sharia law amongst his followers while recruiting impressionable teenagers for future jihadist against the Nigerian state<sup>15</sup>. He operated as both the spiritual and organizational head with an Advisory Council referred to as the Shura Committee, while his adherents were referred to as Talibans by the locals.

Boko Haram attracted refugees from the wars across the borders in Chad, Cameroon, and Niger as well as jobless Nigerian youths to whom they offered welfare handouts, foods and shelter, with a pretentious claim that the sect was engaged in moral and religious rebirth through the study of the Quran<sup>16</sup>.

Eventually, Yusuf succeeded in establishing Boko haram's strongholds in the Northern States of Bauchi, Gombe, Kano, Katsina and Yobe. The sect grew into tens of thousands of followers

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<sup>11</sup> Salisu Salisu, Afandi Salleh, and Shuaibu & Mohd, 'HISTORICAL EVOLUTION OF BOKO HARAM IN NIGERIA: CAUSES AND SOLUTIONS' (2015) [https://www.uniswa.edu.my/icic/images/Fullpaper/20\\_-\\_Salisu\\_Salisu\\_Shuaibu.pdf](https://www.uniswa.edu.my/icic/images/Fullpaper/20_-_Salisu_Salisu_Shuaibu.pdf)

<sup>12</sup> Tag archives: Research proposal on boko haram', (April 2014) <https://egoboosterbooks.wordpress.com/tag/research-proposal-on-boko-haram/>

<sup>13</sup> PHOTOGRAPH and others, 'Nigeria's Boko Haram: Who are they and what do they want?' News (8 May 2014) <http://news.nationalgeographic.com/news/2014/05/140507-boko-haram-nigeria-borno-state-maiduguri-mohammed-yusuf-abubukar-shekau-goodluck-jonathan-world/>

<sup>14</sup> Salisu Salisu, Afandi Salleh, and Shuaibu & Mohd, 'HISTORICAL EVOLUTION OF BOKO HARAM IN NIGERIA: CAUSES AND SOLUTIONS' (2015) [https://www.uniswa.edu.my/icic/images/Fullpaper/20\\_-\\_Salisu\\_Salisu\\_Shuaibu.pdf](https://www.uniswa.edu.my/icic/images/Fullpaper/20_-_Salisu_Salisu_Shuaibu.pdf)

<sup>15</sup> *ibid*

<sup>16</sup> Aminu Mohammed Umar, 'Calhoun: The NPS institutional archive' (2013) [http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun\\_Umar\\_Aminu.pdf?sequence=1](http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun_Umar_Aminu.pdf?sequence=1)

and organised in a hierarchical organizational structure based on loyalty and devotion to Yusuf. Even though the sect was hostile to the Nigerian state and rejected Western education as non-Islamic, it remained largely non-violent until 2009, when disagreements occurred over local issues that were likely manipulated by local politicians of Borno State. This resulted in Yusuf ordering an attack on the State to which the security forces responded brutally<sup>17</sup>.

The Maitatsine religious crisis ended when security forces killed their leader but that of Boko Haram escalated in 2009 when the Nigerian police started arresting its members for their refusal to follow a new law requiring motorbike riders to wear protective helmets. Following this incident, series of violence clashes between the sect and security forces extended to other Northern parts of Nigeria.

Mohamed Yusuf the sect's leader was captured during one of the clashes with security forces in Borno State and, was extra-judicially executed while in police custody<sup>18</sup>. Due to the death of the Boko Haram leader, the sect was inactive until July 2010, when the former second in command of the group, Abubakar Shekau, announced himself as the sect's new leader, released a video threatening the country by promising violent attacks.

Shekau's threats were actualized by several suicide bombings and assassinations, including a prison break in Bauchi State which led to the release of 700 inmates. Subsequently, the sect carried out the detonation of a car-bomb at the United Nations headquarters in Abuja in 2011, killing 23 people and injuring 81 others<sup>19</sup>. The United Nations' deadly attack was intended as a revenge for the State's killing of their leader and some of his followers in July 2009.

Since then, Boko Haram terrorists have launched several attacks against civilian populations and soft targets in the country. As a result of the increased number of attacks, Boko Haram has been able to hit sensitive targets like government infrastructures across the North-eastern and North-western parts of the country, striking fear and insecurity into the minds of the inhabitants of these regions and the collapse of a once thriving Northern economic hub of the country.

Lack of security of lives and properties and social infrastructures comes with huge economic cost to the Nigerian state. Even though most of Boko Haram terrorists' attacks have been on Nigerian targets and their objectives being national, they also have connections with other terrorist organizations such as Al Qaeda in the Islamic Maghreb (AQIM), Somalia's Al Shabaab,

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<sup>17</sup> John Campbell, 'Policy brief Boko Haram: Origins, challenges and responses executive summary' (2014) [http://www.peacebuilding.no/var/ezflow\\_site/storage/original/application/5cf0ebc94fb36d66309681cda24664f9.pdf](http://www.peacebuilding.no/var/ezflow_site/storage/original/application/5cf0ebc94fb36d66309681cda24664f9.pdf)

<sup>18</sup> Elliott Abrams, 'Boko Haram' (2016) <http://www.cfr.org/nigeria/boko-haram/p25739>

<sup>19</sup> START, May, 'START background report' (2014) [https://www.start.umd.edu/pubs/STARTBackgroundReport\\_BokoHaramRecentAttacks\\_May2014\\_0.pdf](https://www.start.umd.edu/pubs/STARTBackgroundReport_BokoHaramRecentAttacks_May2014_0.pdf)

Ansaru (Jama'atu Ansarul Muslimina Fi Biladis) of Sudan, and the Movement for Unity and Jihad in West Africa (MUJAO)<sup>20</sup>.

Connections with these terrorist organizations is exacerbated by the porosity of Nigeria's borders in the Northern region which enables the inflows of foreign terrorists and high-grade weapons from Sudan, Libya, Somali, and other war-torn African countries. For instance, in 2012, the Boko Haram leader, Abubakar Shekau pledged allegiance to AQIM in a YouTube video and AQIM now strengthens Boko Haram members by training them in combats, weapons handling and the use of improvised explosive devices<sup>21</sup>.

Three years later in March 2015, Boko Haram terrorists shifted allegiance to the ISIS and renamed itself "the Islamic State's West African province" <sup>22</sup>. Boko Haram has therefore metamorphosed from a Nigerian terrorist group to becoming affiliated with international terrorist organizations that are anti-Western and anti-US. Consequently, Boko Haram has exposed Nigeria to being labelled as a terrorist hotspot with Western countries often issuing travel advisories to their citizens in Nigeria or intending to visit the country.

Boko Haram original resentments were against the Nigerian government which they believe murdered their first leader without trial of the police officers responsible. It was originally believed that the sect was attempting to compel the government to a negotiating table and making demands on behalf of some of its members in the custody of security forces<sup>23</sup>. It was speculated that that their objective was to negotiate the creation of an Islamic State out of Nigeria where they would establish a system with under Sharia or Islamic law.

Boko Haram has since then operated in a highly organised structure with a unifying force, which has sustained its functional resilience till date. However, a splinter group has been reported to exist due to disagreements about the leadership Shekau concerning the modes of their violent operations. Nevertheless, both factions still maintain the same ideology and pursue the same objectives.

Shekau the current leader does not communicate directly with the sect's foot soldiers as he maintains strict control through a few selected cell leaders and unlike his predecessor, he lacks

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<sup>20</sup> PHOTOGRAPH and others, 'Nigeria's Boko Haram: Who are they and what do they want?' News (8 May 2014) <http://news.nationalgeographic.com/news/2014/05/140507-boko-haram-nigeria-borno-state-maiduguri-mohammed-yusuf-abubakar-shekau-goodluck-jonathan-world/>

<sup>21</sup> A I Ajayi, 'Boko Haram' and terrorism in Nigeria: Exploratory and explanatory notes' (2012) 1(5) *Global Advanced Research Journal of History, Political Science and International Relations* <http://augustusconsulting.co.za/bhubhuzz/uploads/2015/01/Boko-Haram-and-Terrorism-in-Nigeria-by-Ajayi.pdf>

<sup>22</sup> Public Berne-Wabern, 'Note Nigeria: The Boko Haram insurgency and internal displacement. Presentation by Medinat Abdulazeez (20.06.2016)' (2016) <https://www.sem.admin.ch/dam/data/sem/internationales/herkunftslander/afrika/nga/NGA-boko-haram-e.pdf>

<sup>23</sup> *ibid*



charisma and oratorical skills, but his intense ideological commitment and ruthlessness have kept him as the sect's spiritual leader<sup>24</sup>. And Shekau and his murderous sect have continued to pursue their terrorist agenda, driven by their evil ideological forces.

### III. THE DRIVING FORCES OF BOKO HARAM TERRORISTS IN NIGERIA

Analysis of the driving forces responsible for the historical emergence of Boko Haram terrorists in Nigeria inevitably takes off from the educational disparity between the Northern and Southern parts of Nigeria. This disparity could be traced back to the historical events related to pre-independence and the colonial era in Nigeria under the Great Britain.

During that period when Western education arrived at the shores of the country through the colonial missionaries, the Muslims in the North rejected the content and the process of the Western education because they considered it as a tool of evangelism of the Christian missionaries<sup>25</sup>. These Muslims however retained their traditional religious schools where they were dedicated only to Quranic education while the Southerners fully embraced and made considerable progress ahead of the Northerners in terms of Western education.

This initial difference in attitude to Western education has created a gap between both regions which remains till date. In addition, several commentators have argued that the major driving force of Boko Haram terrorists is politically motivated, where there was a power shift in politics from the Northern region to the Southern region which was seen as a loss of generational right of political domination many Northerners considered as a birth right<sup>26</sup>.

This is because there is a general assumption that the major three ethnic groups in Nigeria (Yoruba, Ibo, and Hausa) have a history of specialisation in particular sectors of the Nigerian society. Where the South-western part of the country controls the corporate economy, the South-easterners are in charge of the commercial economy and the Northerners control the political powers in the country<sup>27</sup>.

Furthermore, unemployment and poverty can also be considered as other driving forces that facilitated the emergence and growth of Boko Haram terrorists. The rate of unemployment has

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<sup>24</sup> Aminu Mohammed Umar, 'Calhoun: The NPS institutional archive' (2013) [http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun\\_Umar\\_Aminu.pdf?sequence=1](http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun_Umar_Aminu.pdf?sequence=1)

<sup>25</sup> Aminu Mohammed Umar, 'Calhoun: The NPS institutional archive' (2013) [http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun\\_Umar\\_Aminu.pdf?sequence=1](http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun_Umar_Aminu.pdf?sequence=1)

<sup>26</sup> Egbeleke Aderopo, 'Rethinking Boko-Haram: Contending perspectives among Nigerian in Diasporas and youths' [2016] [http://www.academia.edu/8369638/Rethinking\\_Boko-Haram\\_Contending\\_Perspectives\\_among\\_Nigerian\\_in\\_Diasporas\\_and\\_Yo](http://www.academia.edu/8369638/Rethinking_Boko-Haram_Contending_Perspectives_among_Nigerian_in_Diasporas_and_Yo)

<sup>27</sup> Egbeleke Aderopo, 'Rethinking Boko-Haram: Contending perspectives among Nigerian in Diasporas and youths' [2016] [http://www.academia.edu/8369638/Rethinking\\_Boko-Haram\\_Contending\\_Perspectives\\_among\\_Nigerian\\_in\\_Diasporas\\_and\\_Yo](http://www.academia.edu/8369638/Rethinking_Boko-Haram_Contending_Perspectives_among_Nigerian_in_Diasporas_and_Yo)

become a major problem tormenting the lives of Nigerian youths and this is due mostly to bad governance and corruption in the country's political leadership<sup>28</sup>.

Unemployment causes frustration, rejection, desperation and dependency on people and this dependency situation has left most Nigerian youth in a vicious cycle of chronic poverty that daily erodes their confidence of a better future. In most cases, the unemployed youths become the primary target of the Boko Haram terrorists due to poverty and long-standing economic disparities between the North and the other parts of Nigeria<sup>29</sup>.

Despite Nigeria's plentiful resources and oil wealth, poverty is widespread to the extent that the country is ranked one of the poorest countries in the world, where over 70% of the population is classified as poor with 35% living in absolute poverty and over 100 million living in multi-dimensional poverty<sup>30</sup>.

Therefore, besides educational disparity poverty is considered in Nigeria as a significant driving force of most ethnic and religious crisis in the country, including the emergence of Boko Haram terrorists. The Northern part of Nigeria has remained the least educated with the highest rate of poverty in comparison with the Southwest and the Southeast regions<sup>31</sup>.

A part of a country with all these attributes of educational backwardness, high poverty rate, high level of unemployment, and uneven economic development constitute potent drivers of terrorism as evident in the emergence of Boko Haram terrorists. Idle youths and hungry teenagers easily offer themselves or are cajoled to be mobilized and radicalized as Boko Haram terrorists. With tens of thousands of young, illiterate, and vengeful recruits as terrorists, Boko Haram atrocities have had devastating social and economic impact on Nigeria in the last decade.

#### **IV. SOCIAL AND ECONOMIC IMPACT OF BOKO HARAM TERRORISTS IN NIGERIA**

A fundamental ideology of Boko Haram terrorist is to rid Nigeria of Western education, especially for girls. Accordingly, on 15<sup>th</sup> April 2015, Boko Haram invaded a school for the girls in the North-eastern Borno town of Chibok and abducted about 250 schoolgirls. This singular act of Boko Haram terrorists has negatively impacted education in the Northeast region because it led to the closure of schools and a downward trajectory of education in that region.

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<sup>28</sup> Salisu Salisu, Afandi Salleh, and Shuaibu & Mohd, 'HISTORICAL EVOLUTION OF BOKO HARAM IN NIGERIA: CAUSES AND SOLUTIONS' (2015) [https://www.unisza.edu.my/icic/images/Fullpaper/20\\_-\\_Salisu\\_Salisu\\_Shuaibu.pdf](https://www.unisza.edu.my/icic/images/Fullpaper/20_-_Salisu_Salisu_Shuaibu.pdf)

<sup>29</sup> *ibid*

<sup>30</sup> *ibid*

<sup>31</sup> Salisu Salisu, Afandi Salleh, and Shuaibu & Mohd, 'HISTORICAL EVOLUTION OF BOKO HARAM IN NIGERIA: CAUSES AND SOLUTIONS' (2015) [https://www.unisza.edu.my/icic/images/Fullpaper/20\\_-\\_Salisu\\_Salisu\\_Shuaibu.pdf](https://www.unisza.edu.my/icic/images/Fullpaper/20_-_Salisu_Salisu_Shuaibu.pdf)

Boko Haram's terrorism has also brought a paralysis of business, banking, transportation, hospitality, and market sectors, including internal and external investments in the Northeast region and the country at large. Reports of Boko Haram terrorism in international news media scare away foreign investors and undermine economic activities and threaten social and economic development of Nigeria<sup>32</sup>.

Boko Haram terrorism has therefore caused backwardness in the country's economy and increased the rate of poverty, unemployment, insecurity and failure in sustainable human development, not only in the Northern part of the country but the entire country as well as neighbouring countries such as Cameroon, Chad, Niger and Benin. But it is the North-eastern region of Nigeria that has suffered the most underdevelopment in terms of infrastructure, education, security and other development indices.

It has been noted that these social and economic impact has paved way for more of the Northern youths to embrace the Boko Haram terrorists<sup>33</sup>. The Youths with otherwise promising future have become terrorists that engage in attacking major Northern cities, killing both Christians and Muslims in the region. The destruction of lives and properties by Boko Haram terrorists have destabilised the Nigerian economy, the image of Muslims has also been rubbished as non-Muslims now consider all Muslims as religious extremists and potential terrorists<sup>34</sup>.

The Boko Haram has caused a hostile relationship between Nigeria and other nations of the world due to their kidnappings and hostage-takings of foreign nationals<sup>35</sup>. Without doubts, the atrocities of Boko Haram terrorists have had devastating social and economic impacts on Nigerian polity in every ramification. In view of this social and economic impact, what has been the response of the Nigerian state.

## **V. NIGERIA'S LEGAL AND POLITICAL RESPONSES TO BOKO HARAM TERRORISTS**

The Nigerian government has launched various interventional efforts in order to contain Boko Haram terrorists in the country. Besides military intervention which is the most physical efforts of the government against the terrorists, laws and policies have also been made to that effect. The 1999 Nigerian Constitution as amended specifies that the Nigerian National Assembly is responsible for making laws and ensuring the maintenance, security and public safety and order

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<sup>32</sup> Sani Shehu, Universiti Sultan, and Zainal Abidin, 'THE IMPACT OF BOKO HARAM ON NIGERIAN NATIONAL DEVELOPMENT' (2015) [https://www.unisza.edu.my/icic/images/Fullpaper/06\\_-\\_Sani\\_Shehu.pdf](https://www.unisza.edu.my/icic/images/Fullpaper/06_-_Sani_Shehu.pdf)

<sup>33</sup> *ibid*

<sup>34</sup> Sani Shehu, Universiti Sultan, and Zainal Abidin, 'THE IMPACT OF BOKO HARAM ON NIGERIAN NATIONAL DEVELOPMENT' (2015) [https://www.unisza.edu.my/icic/images/Fullpaper/06\\_-\\_Sani\\_Shehu.pdf](https://www.unisza.edu.my/icic/images/Fullpaper/06_-_Sani_Shehu.pdf)

<sup>35</sup> *ibid*

in the country<sup>36</sup>.

As a result of the activities of Boko Haram terrorists, a legal framework for the prevention and severe punishment of terrorism in Nigeria was enacted by the National Assembly and it includes the Terrorism Prevention Act (TPA) 2011 and The Terrorism (Prevention) (Amendment) Act 2013. These two laws are referred to as the Terrorism (Prevention) Act 2011 (as amended)<sup>37</sup>.

The Nigerian Senate descended heavily on acts of terrorism by prescribing capital punishment for those found guilty of such acts. The Terrorism Act does not also spare any persons or corporate bodies linked to any terrorist acts in the country directly or indirectly, or who willingly assists or facilitates the activities of persons or organisations engaged in the acts of terrorism. Upon conviction, such accomplices or conspirators are liable to a maximum of life imprisonment.

The Terrorism Act defines acts of terrorism and provides grounds for the investigation, prosecution, and interdiction of suspects in terrorism cases. The Act was however amended several times in 2013 in order to address concerns which were expressed by both international and domestic bodies regarding human rights that were allegedly being abused by the Nigerian security forces<sup>38</sup>.

However, even with the enactment of the Terrorism Act there has been limited prosecutions of individuals directly involved in terrorism or through conspiracy. This is in sharp contrast to when the country had military decrees promulgated under military regimes, which were effectively applied to eradicate the Maitatsine crisis. An example of the ineffectiveness of the Terrorism Act in practice was the indictment of some key Northern politicians who by conspiracy were indirectly involved with Boko Haram activities.

The fact that the politicians could not be prosecuted under the provisions of the Terrorism Act exposes the lack of political will on the part of the Nigerian government to implement the law to the letter. Rather, the cases were allowed to fade away while the politicians were left off the hook. Thus, from the legal point of view, even with the existence of the law on terrorism which attracts the death penalty as the punishment upon conviction, this legal response of Nigeria to

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<sup>36</sup> 'National consortium for the study of terrorism and responses to terrorism Boko Haram: An assessment of strengths, vulnerabilities, and policy options', (2015) [https://www.start.umd.edu/pubs/START\\_%20SMA-AFRICOM\\_Boko%20Haram%20Deep%20Dive\\_Jan2015.pdf](https://www.start.umd.edu/pubs/START_%20SMA-AFRICOM_Boko%20Haram%20Deep%20Dive_Jan2015.pdf)

<sup>37</sup> Maryam T Kawu and others, 'EDITORIAL BOARD ADVISERS EDITORIAL BOARD ASSISTANT EDITORS' (2015) 11(11) NJI LAW JOURNAL LAW JOURNAL [http://nji.gov.ng/images/PDF/NJI\\_Law\\_Journal\\_2015\\_Vol\\_11.pdf](http://nji.gov.ng/images/PDF/NJI_Law_Journal_2015_Vol_11.pdf)

<sup>38</sup> 'National consortium for the study of terrorism and responses to terrorism Boko Haram: An assessment of strengths, vulnerabilities, and policy options', (2015) [https://www.start.umd.edu/pubs/START\\_%20SMA-AFRICOM\\_Boko%20Haram%20Deep%20Dive\\_Jan2015.pdf](https://www.start.umd.edu/pubs/START_%20SMA-AFRICOM_Boko%20Haram%20Deep%20Dive_Jan2015.pdf)

Boko Haram insurgency has not been a notable deterrent.

The Nigerian government has also set up various agencies which include the Department of State Services, the Office of the National Security, the Civil Defence Corps, and the Nigerian Emergency Management Agency to combat Boko Haram and respond to the crises caused by their activities<sup>39</sup>. However, there is a general suspicion within the intelligence community and political spectrum in Nigeria that Boko Haram has informers or sympathizes in the government, such as in the security services and within government bureaucracy.

As a political response the Nigerian government had offered Boko Haram terrorists the option of dialogue and promise of amnesty if they lay down their arms and come to the negotiation table to vent their grievances. This option however did not yield any positive result because the leaders of the group are anonymous with no clear address or credible points of contact<sup>40</sup>.

The political response also included the Nigerian government's decision to establish new learning areas in order to eradicate the *Almajiri* problem, which is the army of illiterate and jobless youths and teenagers found on the streets of the Northern part of the country who constitute the pool for Boko Haram recruitment of fighters and suicide bombers. It was believed that denying the sect these street urchins could starve the sect of new members and deplete their numbers<sup>41</sup>.

The government established new schools that were well equipped with boarding facilities with the aim of integrating the *Almajiri* into a formal educational system with a view of teaching them skills and giving them a better future<sup>42</sup>. This was done because lack of education was believed to be one of the driving forces of Boko Haram's easy recruitment of young fighters in the Northern region of Nigeria.

Both in its legal and political responses to Boko Haram terrorists, the Nigerian state has appealed to the international community for assistance of any form. This appeal has attracted some foreign interventions that are focused on the global war against terrorism.

Consequently, Western countries particularly the United States and the United Kingdom have

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<sup>39</sup> National consortium for the study of terrorism and responses to terrorism Boko Haram: An assessment of strengths, vulnerabilities, and policy options', (2015) [https://www.start.umd.edu/pubs/START\\_%20SMA-AFRICOM\\_Boko%20Haram%20Deep%20Dive\\_Jan2015.pdf](https://www.start.umd.edu/pubs/START_%20SMA-AFRICOM_Boko%20Haram%20Deep%20Dive_Jan2015.pdf)

<sup>40</sup> Joseph Olukayode and Akinbi, 'EXAMINING THE BOKO HARAM INSURGENCY IN NORTHERN NIGERIA AND THE QUEST FOR A PERMANENT RESOLUTION OF THE CRISIS' (2015) 3(8) Global Journal of Arts, Humanities and Social Sciences <http://www.eajournals.org/wp-content/uploads/Examining-the-Boko-Haram-Insurgency-in-Northern-Nigeria-and-the-Quest-for-A-Permanent-Resolution-Of-The-Crisis.pdf>.

<sup>41</sup> Aminu Mohammed Umar, 'Calhoun: The NPS institutional archive' (2013) [http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun\\_Umar\\_Aminu.pdf?sequence=1](http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun_Umar_Aminu.pdf?sequence=1)

<sup>42</sup> *ibid*

offered assistance that is mostly conditioned on Nigeria's responses based on the dictates of these countries. These include passing a legislation that designates Boko Haram as a proscribed organisation and fighting the terrorists with full compliance with human rights.

The occurrence of human right abuses in the battles by security forces against Boko Haram terrorists constitute a significant talking point in Nigeria's legal and political responses to Boko Haram. Terrorism legislations were passed to strengthen the fight against Boko Haram terrorism by giving security forces more power and protection to arrest, detain, and prosecute perpetrators. However, accusations of human rights abuses by security forces are often politicized and used to criticize the Nigerian governments efforts at containing the terrorists.

## **VI. WAY FORWARD TO DEFEATING BOKO HARAM TERRORISTS**

The protracted efforts of the Nigerian state to defeat Boko Haram terrorists have been subject of many speculations and accusations. For instance, there have been speculations that Nigerian security forces have been infiltrated by Boko Haram terrorists, informers, and sympathizers. And there have been accusations of corruption in the leadership of the security forces, who are alleged to embezzle and divert funds meant for arms and the welfare of soldiers battling the terrorists.

However, the reality is that Boko Haram terrorists have continued to thrive and launch massive attacks against both civilians and security forces, which indicates a failure of any carrot or stick approach that the Nigerian state may have adopted against the insurgents. It is submitted that the most effective way forward to defeating Boko Haram requires a multidimensional approach that addresses not only the symptoms of terrorism but also the driving forces of the terrorist<sup>43</sup>.

For instance, it is important to sensitize Muslim religious clerics and teachers in Northern Nigeria against radical and extremist views and interpretations of the Quran. Because these are the religious leaders who mostly brainwash the poor masses into believing the existence of non-existent things, and in particular instigating naïve youths to take up arms and become suicide bombers in the name of defending the Muslim religion.

A multi-dimensional approach needs to include rural development and empowerment programmes for women and youths. These should be provided by the government in order to engage them in skills acquisition and empowering them to be able to earn good living. For this purpose, there is need for the government to implement grassroots policies that would

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<sup>43</sup> Salisu Salisu, Afandi Salleh, and Shuaibu & Mohd, 'HISTORICAL EVOLUTION OF BOKO HARAM IN NIGERIA: CAUSES AND SOLUTIONS' (2015) [https://www.unisza.edu.my/icic/images/Fullpaper/20\\_-\\_Salisu\\_Salisu\\_Shuaibu.pdf](https://www.unisza.edu.my/icic/images/Fullpaper/20_-_Salisu_Salisu_Shuaibu.pdf)

encourage frequent community or town hall meetings with marginalized members of the public at that level to listen to their needs and assure them of government's concern about their welfare.

Knowledge from such interactions would help government to establish community policing by recruiting local youth in the Nigeria Police. Community policing has become necessary for Nigeria to achieve intelligence driven counter-terrorism measures against Boko Haram insurgency and other forms of criminal violence against civilians and the Nigerian state. The Nigerian government must initiate effective ways to curb the proliferation of small arms through the country borders and in the black market within the country. This would starve Boko Haram terrorists the weapons and ammunitions they need to launch attacks and continue their terrorism against Nigeria and Nigerians.

A multi-dimensional approach involves different strategies that are targeted at different areas of the Nigerian state and polity, and carrying out necessary reforms that would counteract the emergence and survival of terrorist groups like Boko Haram. Although, aspects of a multi-dimensional approach are never exhaustive, however, the following recommendations offer such approach to a successful defeat of Boko Haram terrorists in Nigeria.

1. Strategic improvement of security efforts with operations aimed at containing the operational space of the terrorists and routing them into a *cul de sac* for total elimination.
2. Adequate arms, weapons, intelligent equipment, and sophisticated operational facilities for the security forces.
3. Properly coordinated synergy amongst the different security forces and agencies for meaningful counter-terrorism operations.
4. Ensuring the enabling environment needed to address the major driving forces of Boko Haram terrorists and their ideology.
5. Strengthening international cooperation with security forces of neighbouring countries with a viewing to cutting off the flow or supply of fighters and arms from other terrorist groups into Nigeria.
6. Tightening Nigeria's porous borders in the Northern part of the country which have serve as a gateway for Boko Haram terrorists to launch attacks from the territories of neighbouring countries.
7. Result-oriented steps towards addressing abject poverty, stark illiteracy, high unemployment, and religious extremism in the Northern part of the country.
8. Institutionalizing social safety nets and welfare programs for poor mothers and other

vulnerable women who have the responsibility of raising up children in extremely religious and impoverished environment in the Northern region of Nigeria.

9. A recognition of the social injustices that have motivated religious violence in Nigeria, such as marginalization, and addressing their causes and symptoms before they manifest in sectarianism, insurgency, or armed struggles by a disenchanting group in the country.
10. Establishing counter-ideologies educational curricula in elementary and secondary schools and boosting inter-religious bodies to combat Boko Haram's evil ideology that is based on a perverted interpretation of the Quran.
11. As part of reducing the high unemployment rate, the government needs to invest heavily in agricultural programs such as training of the youths in modern farming skills, animal husbandry, and processing of agricultural products to take advantage of the vast arable land in Northern Nigeria.
12. Containing the monster of corruption in the country, particularly in the Ministry of Defence and in the leadership of security forces who have been alleged to steal, embezzle, and divert funds budgeted for eliminating Boko terrorists in Nigeria.

## VII. CONCLUSION

The war against terrorism is an international war to defeat terrorist organizations in every corner of the globe. Countries like Nigeria that is unfortunate to find itself as a base for a terrorist group such as Boko Haram continually engage in counter-terrorism measures to defeat the terrorists. However, the fact that Boko Haram terrorists have survived sequence of crackdowns by Nigerian security forces, develop stronger and becoming better organised, shows that the past and present approaches to defeat the terrorists have either failed or are ineffective<sup>44</sup>.

Nigeria's legal and political responses have also not materialized in the defeat of Boko Haram because of the systemic inadequacies of terrorism laws, policies, and international assistance. For instance, past administrations of government in Nigeria lacked the political will to decisively deal with Boko Haram either by developing suitable policies, enacting appropriate legislations, or effectively enforcing existing criminal laws. This article offers recommendations from a multi-dimensional approach to a successful defeat of Boko Haram terrorists in Nigeria.

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<sup>44</sup> Aminu Mohammed Umar, 'Calhoun: The NPS institutional archive' (2013) [http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun\\_Umar\\_Aminu.pdf?sequence=1](http://calhoun.nps.edu/bitstream/handle/10945/34755/13Jun_Umar_Aminu.pdf?sequence=1)