

NIGERIA AND SMALL ARMS CONTROL: A PARODY OF SECURITY BUILDING IN THE WEST AFRICAN SUB-REGION

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Abstract

Research conducted by the United Nations in 2006 into the illegal proliferation of Small Arms and Light Weapons (SALW) in the West African sub-region has produced some considerable media attention focused on efforts of the Economic Community of West African States, and, in particular, Nigeria, in curbing the multiplicity illegal weapons as well as the parody this has produced. The world body had sounded the alarm of an estimated five hundred million illicit weapons in “wrong hands” circulating in the sub-region with over three hundred and fifty million or seventy percent of such weapons in Nigeria alone. In January 2022, a report from the office of the Auditor General of Nigeria indicated that nearly two hundred thousand different types of weapons went missing from the armoury of the Police at the close of 2019 without any trace or formal report on their whereabouts. The West African sub-region and Nigeria are linked to a history of illegal arms trade, the latter emerging as the biggest market. Consideration of this history may help in stimulating a debate in the theory of arms control that will illuminate how the increase in small arms fuels terrorism, banditry, crime and conflicts in Nigeria, in particular, and the West African sub-region as a whole. It may also engage the larger questions of the demand for a robust political will and impelling arms management to confront illegal arms proliferation in West Africa. From findings, SALW has emerged as a primary cause of human suffering in West Africa, particularly women and children who are targets of non-state actors and criminal groups.

Keywords: United Nations, ECOWAS, Nigeria, Small Arms, parody.

Introduction

The circulation of uncontrolled weapons aggravates conflicts in West Africa and across states on the continent of Africa.^x The characteristics of the region's conflict trends and patterns in the last few decades have been the modifying nature of conflict and insecurity, their spillover effect which creates a broader radius of impact, the persistence of these conflicts and their socio-political, economic and humanitarian impacts. Most of these conflicts break out at the sub-

national level where uncontrolled arms are deployed.^x The vital implication of illegal weapons proliferation in the sub-region of West Africa is the intense risk it poses to greater and even immense degrees of violence. When there is access to arms and they become uncontrolled, it encourages violence.^x Since 2000, West Africa has witnessed an emergent pattern of political violence that includes electoral violence and constitutional crises in states like Mali, Côte d'Ivoire, Niger, and Nigeria, to mention a few.^x The relationship between illicit weapons or arms and violence resulting from violence cannot be divorced from electoral violence. It has been established by research from the United Nations that there are many sources of these illicit weapons in the sub-region.^x An example includes the diversion of arms legally acquired by the government, which transpires in diverse ways, including the prohibited exchange of arms by corrupt state officials with criminal groups. For instance, some Nigerian soldiers were arrested recently for selling official arms to groups associated with the Islamist terror group Boko Haram, in February 2016.^x As late as January 2022, the audit report of the Auditor General of Nigeria indicated that nearly two hundred thousand different types of weapons went missing from the armoury with no trace or official report on their location.^x

Instances abound where non-state actors take possession of illegal arms while battling with state military forces. One example can be found in the north of Mali.^x The deflection of official arms is similarly aided by beggarly and inadequate remuneration of security personnel, poor oversight over state arms procurement, lack of accountability of weapons stockpiles and weak governance structure. Poor welfare among personnel of the armed forces has often sparked riots, looting and acts of corruption in Mali, Burkina Faso and Guinea.^x Elsewhere, insufficient stockpile management and a lack of transparent and accounting frameworks in arms procurement encourage the unlawful exchange of official arms by soldiers to criminal groups. Procurement of illicit arms is also made possible from locally-made ones diverted and traded in parallel arms markets. In West Africa, there are several unofficial local arms manufacturers where curbed regulation of their activities encourages access to illicit arms.^x External sources of illegal arms have also been traced to some countries in the Americas, Asia and Eastern Europe, where arms are initially shipped outside the continent. Who has the guns in Africa? An independent Geneva-based research centre has established the Small Arms Survey (SAS), which states that civilians hold 80 percent of all SALW in Africa.^x

Based on United Nations-sponsored research into SALW proliferation in the sub-region, there were two specific sources of illicit weapons from within the continent. The sources were Liberia and Libya. Liberia's fourteen-year bloody civil war had been driven by light artillery and illegal arms, many of which found their way into the wrong hands in the sub-region after that.^x Similarly, the

military armouries in Libya were ransacked after Muammar Gaddafi's ouster triggered by the 2009 revolution, erupting in the Libyan Civil War in 2011. Several weapons from Libya ended up in the Sahel, especially in the hands of separatists in Mali's northern region.^x Many of these weapons also found their way into Nigeria and other West African states given the porosity of their borders.

Theoretical Framework

This research applies the Arms Control Theory to its study.^x Although traditional arms control theory evolved during the Cold War period, the theory preceded this and dates back to ancient Greece. The earliest attempts at arms control in the modern industrial era involved the Rush-Bagot Treaty of 1817 entered into by the American and British governments.^x In recent times, the World Disarmament Conference held in Geneva in 1932 marked the closest pre-Cold War attempts at international arms control.^x

This research adopts the Arms Control Theory in both its traditional and contemporary variants. The Traditional Arms Control Theory can be viewed from arguments propounded by strategic analysts who first formulated the idea of arms control between 1958 and 1962 as an ancillary to national security.^x Traditional Arms Control Theory emerged due to the distinct amalgam of forces that mirrored the conclusions, analyses and policy importance of policymakers and experts on defense of this period. Thomas Schelling and Morton Halperin, the earliest exponents of arms control theory, stated that states' arms control and military strategy objectives should, to a great extent, be the same.^x The concept places national security at the topmost of traditional arms control. In its traditional form, this theory established national security as its key functioning principle, understanding that disarmament and arms reduction were all geared towards the re-enforcement of national security. Scholars such as Jonathan Dean, Stuart Croft, John Steinbruner and many others also argued broadly on the theoretical support of arms control.^x They posit that arms control is intended to alter the security perplexity and to create reciprocal security between partners and general stability.

Parody

Parody refers to a feeble or ridiculous imitation of something.^x This research argues that despite its hegemonic tendencies in the sub-region of West Africa, attempts by the Nigerian government to curtail the rapid spread of SALW in the country and the region generally remain a parody.^x Nigeria's efforts in this regard appear ridiculous despite being the first country in Africa to commit to the signing and ratifying of what is known as the Arms Trade Treaty (ATT). In its bid to keep back arms proliferation and regularise explosives importation into Nigeria, the president, Muhammed Buhari, transmitted to the National Assembly

two executive bills.^x Great gesture, no doubt, yet deeper scrutiny of the bill exposes the government's inept approach and the weakness of security agencies in containing arms smuggling into the country. It appears a parody of a sort when Nigerian newspapers reported in July 2021 that the Senate passed a bill providing three-year jail terms, a 3 million naira fine, or both on persons caught in possession or engaged in firearms dealings in Nigeria.^x The parody in the passage of the bill is that the legislation was an amendment of a section of the Principal Act where a fine of just one thousand naira was previously provided as a penalty. In other words, such an amendment only provided for 'stiffer' penalties and nothing more.

Criminals persist in making Nigeria insecure, given the different methods employed to smuggle weapons into the country. Currently, Nigeria is battling with militant insurgents, killer herdsmen, highway robbers, kidnappers and bandits who use sophisticated weapons to carry out mayhem across the country.^x Despite multiple checks by security forces to arrest the dire situation, violent crimes remain on the rise, a situation fuelled by and given the availability of SALW in the wrong hands across the country. Experts have attributed this course to Nigeria's poorly managed land borders occasioned by this as well as the proliferation of arms and the booming business of gun-running, which continue to fuel the security challenges and give rise to criminal activities in the country.^x In that way, a horde of blame has been poured on the Nigeria Customs Service (NCS) over the inflow of illegal firearms into Nigeria through its large porous borders. The border police have been accused of being a toothless bulldog as they could no longer control the porous borders where illegal arms are shipped into the country.^x Perhaps due to the citizens' assumption that the government could no longer guarantee their security, many have looked for alternatives to secure themselves. For example, a recent Nigerian newspaper report recalls several communities in Nigeria's North West and North Central pulled money to procure arms and other small weapons to protect them against incessant attacks from terrorists, bandits and other criminals.^x Also, it was reported that wealthy individuals were procuring arms for themselves or groups to protect themselves against an existential threat.^x

Conceptual Clarification: Small Arms and Light Weapons

Small arms are defined by the United Nations Institute for Disarmament Research as those weapons designated for official use by a country's security agents.^x On the concept of light weapons, a United Nations document classified light weapons as those designated for official use by security agents of a country.^x Apart from the definition above which reflects the categories of weapons under various classifications, Ochoche defines SALW by summarising several perspectives.

First, the focus is on lethal equipment, i.e., weapons and ammunition, generally used by military and paramilitary forces, excluding items such as knives and hunting rifles. Second, the emphasis is on weapons that are man-portable or transportable by light vehicles, i.e., on the weight and size of the equipment. Third, this equipment is easy to maintain, can function without much logistical backup and requires light training for use. Fourth, to be militarily and politically relevant, the definition comprises frequently used weapons, i.e., weapons that really kill.^x

Indeed, SALW bears vital characteristics that make them available to state security officials, military officers, insurgents, combatants, civilians, criminal groups and terrorists.^x SALW are affordable as well as being widely accessible. Their manufacture demands limited sophisticated technology. Secondly, SALWs are not difficult to put to use and they are easy to maintain.^x They necessitate minimal service support and can be operational for a long time. Furthermore, SALW requires little training to achieve its desired effect. Third, the sophistry and deadliness of SALW cannot be overemphasized. Lastly, being light and easy to conceal makes them easy targets for use. Keili describes the use of SALW thus: SALWs are extreme tools of violence in Africa for several reasons. Small arms are durable, highly portable, easily concealed, simple to use, extremely lethal and possess legitimate military, police and civilian uses. In Africa, these weapons are cheap and widely available; they are also lightweight and can be used by child soldiers, who have played a significant role in recent conflicts in Africa. SALW have been used to grossly violate human rights, to facilitate the practice of bad governance, to subvert constitutions, to carry out coups d'état and to create and maintain a general state of fear, insecurity and instability.^x

SALW: Fueling Terrorism, Banditry and Hostility in Nigeria and West Africa

It is a truism that SALW have continued to pose an extensive menace to Africa's security, peace and continental development. Data reveals that an appreciable number of African states are affected by the proliferation of SALW. From a 2019 SAS and the African Union (AU) study, 80 percent of the continent's SALW is estimated to be held by civilians.^x Civilians, armed militias and rebel groups have over 40 million SALW, unlike the military with fewer than 11 million. From a 2013 report that provides insights into the most current insecurity cases in the sub-region of West Africa,^x Mali, Côte d'Ivoire, Nigeria and Liberia are identified as states encountering insecurity challenges. In Nigeria, for instance, reports indicate that between 1,000,000 and 350,000,000 unregistered and illicit SALW has contributed to over 30,000 deaths per year.^x Another report also notes

that in 2017 alone, an aggregate of 21,548,608 arms were illegally shipped into Nigeria.^x

The proliferation of SALW is an undeniable reality of West African security architecture. It has also been described as the agent and manifestation of different conflicts in West Africa. At the end of the Cold War, African states encountered a rise in the illicit sale and circulation of SALW, attributed to the need for America and the Soviet Union to establish spheres of influence. Asoba and Glokpor contend that SALW, during the cold war gained access to African security architecture via unlicensed exports, support for a criminal organisation and private (security) entrepreneurs/organisations or the activities of local blacksmiths and clandestine gun-running.^x Apart from the Cold War, incessant conflicts and bloody civil wars, for instance, in Liberia and Sierra Leone, the proximity of some conflict zones to West Africa and Nigeria as well as the theft of weapons by dishonest peacekeepers have aggravated the illicit flow and distribution of SALW.

Table 1. The concentration of SALW in Africa as of 2018

S/N	COUNTRIES	POPULATION (2017)	SALW _t
1.	Libya	6,409,000	851,000
2.	Somalia	9,225,000	1,145,000
3.	South Africa	55,436,000	5,351,000
4.	South Sudan	13,096,000	1,255,000
5.	Ghana	28,657,000	2,280,000
6.	Sudan	42,166,000	2,768,000
7.	Morocco	35,241,000	1,690,000
8.	Mozambique	29,538,000	1,337,000
9.	Ivory Coast	23,816,000	1,049,000
10.	Egypt	95,215,000	3,931,000
11.	Nigeria	191,836,000	6,154,000
12.	Algeria	41,064,000	877,000
13.	Cameroon	24,514,000	510,000
14.	Kenya	48,467,000	750,000
15.	DR Congo	82,243,000	946,000
16.	Tanzania	56,878,000	427,000
17.	Ethiopia	104,345,000	377,000

Source: Small Arms Survey, 2018

Liberia, Cote d'Ivoire, Mali, Sierra Leone, Senegal (Casamance), Guinea and Nigeria are hotbeds of SALWs. The 2003 SAS shows that from the 650 million SALW globally distributed, approximately 7 million are located in the region of West Africa, while there are 77,000 small arms in the safekeep of major West African insurgent groups.^x It is observed that the Inter-Governmental Action Group Against Money Laundering in West Africa shows in circulation within and outside West Africa alone and outside known interceptions by security agencies at various entry points there more than 4,364,690 SALWs.^x This observation was made for 2013 alone. Mohammed Ibn Chambas, who doubles as Special Representative of the Secretary-General and Head of the United Nations Office for West Africa and the Sahel, observes that SALW worth \$35 million reaches West Africa annually. These illegal weapons often find their way into the sub-region through non-state actors, with Nigeria constituting a major destination for 70 percent of the arms smuggled into the continent.

In West Africa, Nigeria takes the lead in terms of SALW in the hands of non-state actors. Adetula contends that most of Nigeria's porous border entry points are taken advantage of by illegal migration, trafficking in young persons, narcotics trafficking and illegal transfer of SALW into the country.^x The porosity of Nigerian borders with little or no adequate and sustainable security architecture has further provided actors in pilfering SALW in the ungoverned space to operate. SALW have caused West African states the increasing operation of terrorists and insurgent groups. For instance, violent insurgent and extremist groups such as Nigeria's Boko Haram, whose breakaway group has committed itself to an alliance with ISIS, taking for itself the name Islamic State in West African Province (ISWAP), have employed SALW during their activities.

Also, in Nigeria, the resources war in the Niger Delta region have not abated because of the proliferation of SALW. These violent non-state actors locally manufacture improvised explosive devices, among other harmful weapons that carry out dangerous attacks on Nigerian communities. The untold destruction of lives and property, coupled with a huge humanitarian crisis sparked by the Islamist terror group, Boko Haram, have caused massive displacement of citizens within Nigeria and neighbouring Chad, Niger Republic, and Cameroun, where they seek refuge and safety.^x Apart from SALW imported by these insurgent groups, their consistent attack on security forces, raids on security installations like police and military stations to cart away weapons and release criminals and relationship with other armed groups, such as the Niger Delta militants, is also a key source of weapons acquisition. For instance, former Niger Delta militant Anietie Etim and four others were alleged by the Nigerian police to specialise in procuring arms in the Bakassi Peninsula, which are then supplied to members of the Boko Haram, were arrested in July 2013.^x

Also, the proliferation of SALW has endangered internal security in West African countries. The Niger Delta resource war is a vivid case. The region crises have been prolonged and complicated through the pilfering of SALW, which has provided agitating groups to militarise their activities. The incessant oil bunkering, kidnapping of foreign officials and multinational oil cooperation expatriates, destruction of multinational oil cooperation facilities and competition with federal, state and local security apparatus in the area have been conditioned by the flow of SALW. In the annual NNPC statistical bulletin on oil vandalism, there were 2,753 cases of vandalism in 2006, 1937 in 2007 and 1801 in 2016.^x Operations by militant groups in the creeks of the Nigeri Delta are conducted using advanced weaponry acquired through gun running just as the illegal sale of crude oil is exchanged for sophisticated weapons and locally made arms.

Today, Nigeria's region is described as an ungoverned or ungovernable space. Following the introduction of the amnesty programme by Shehu Musa Yar'adua in 2009, the disarmament stage witnessed the surrender of arms and ammunition by 26,808 militants between 6 August and 4 October 2009. Some 2760 and 287,445 assorted guns and ammunition of different calibre, 18 gunboats, 763 and 1090 dynamite and dynamite caps, and 3,155 magazines, among other military accessories that include bullet-proof jackets, dynamite cables and jack-knives were recovered during the disarmament process. The huge amount of weapons this group relinquished in the amnesty period demonstrates the appalling swats of SALW in circulation in the country. The disarmament stage further witnessed the destruction of these weapons on 25 May 2011.^x

The proliferation of SALW into the hands of civilians has also enabled criminal groups such as cultism, gangsterism, banditry, kidnappers, and armed robbers to perpetrate activities endangering millions of lives and properties. From Table 2, West Africa has the highest number of arms held by civilians totalling some 11 million. The next is Northern Africa, with civilians holding 10.2 million, while Eastern Africa totals 7.8 million. From the above, it is evident that West African countries are automatically vulnerable to conflict and instability as SALW lubricates the wheel of crime.

Table 2. Distribution of SALW in civilian hands by sub-region in 2017

<i>Sub-region</i>	<i>Population</i>	<i>Number of firearms held by civilians</i>	<i>Civilian-held firearms per 100 population</i>
Eastern Africa	416,676,000	7,802,000	1.9
Middle Africa	161,237,000	4,981,000	3.1
Northern Africa	232,186,000	10,241,000	4.4
Southern Africa	63,854,000	6,012,000	9.4
Western Africa	372,551,000	10,972,000	2.9
Africa total	1,246,505,00	40,009,000	3.2

Source: Small Arms Survey, 2019

Tackling Illicit Flow of SALW in West Africa

Given the prevalence of SALW, state and non-state actors have concentrated on containing the proliferation of SALW in an attempt to end the incessant security

challenges affecting West Africa's development. Non-state actors such as ECOWAS have continued to embark on initiatives to curb the production, proliferation, and use of SALW.^x The initiatives and programmes are designed to tackle the illicit flow of SALW in the West African sub-region.

Member countries have also taken into key interest the importance of curbing SALW as part of their continuous effort to resolve the insecurity challenges. In Nigeria, the National Security Strategy and National Counter Terrorism Strategy are noticeable.^x This was first published in 2014 with the recognition that the illicit flow of SALW assists non-state actors such as Boko Haram and bandits, which undermine the government's monopoly of coercion.^x Also, Section 9 of the Terrorism Prevention Act (TPA) 2011 (as amended) criminalises actions that aid violent non-state armed actors as well as the (in)direct provision of all kinds of weapons or equipment, technical or strategic training, advice or assistance associated with military activities.^x In the sphere of political approach, the Yar'adua administration fell back on implementing the Presidential Amnesty Programme with components dealing with disarmament, demobilisation and reintegration in the Niger Delta area. President Buhari's Operation Safe Corridor rehabilitation programme also incorporates the stage of disarmament of combatants of the SALW before undertaking the rehabilitation programme.

However, both regional initiatives under the jurisdiction of ECOWAS, as well as efforts of states have been faced with the complexities surrounding the proliferation and circulation of SALW. The first distinct challenge is the acquisition of SALW and the complex pattern of its distribution networks (market). The illicit flow of SALW into the region is linked to the insecure and porous land and sea borders of ECOWAS member states that have made all efforts to stem the tide abortive. Ikoh notes that the West Coast of Africa is a smuggling route for arms smugglers voyaging via the Gulf of Guinea.^x This demonstrates that Nigeria's insecure land and sea borders provide access for arms smuggling from neighbouring states such as Cameroon and Equatorial Guinea with the aid of speedboats and ferries at the seashores and high seas. Also noticeable is the distribution networks which are controlled by arms lords and brokers who acquire arms and make them accessible to terrorists and insurgent groups, civilians, and other armed groups. The acquisition and supply of SALW are often illegal and conducted in a clandestine and unregulated manner which jeopardised regional and national security architecture. Apart from arms lords, the artisan craft arm manufacturers also contributed to the challenges of curbing SALW in West Africa.

A key dynamic affecting the containment of SALW is the possession of the weapons, which is difficult to trace. Drawing from the proliferation of terrorist and insurgent groups in Mali, for instance, the Tuareg Nationalist Movement for the Liberation of Azawad, Al Qaeda in the Islamic Maghreb, Movement for

Unity and Jihad in West Africa, Boko Haram in Nigeria, among others possess large stockpiles of SALW. The situation has become more complicated and remains difficult if any disarmament programme can solve the intricacies of SALW possession in West Africa.

At this juncture, structural factors are also key to the trafficking of SALW in West Africa, including issues around governance, globalisation, and corruption. West African states are confronted with these challenges and many others which in turn encourages the trafficking of SALW. In Côte d'Ivoire, for instance, officials of state security are not as better as the rebels.^x Also, the acquisition of SALW by civilians stems from the population's loss of confidence in its national, state and local security agencies. Reports show that the absence of security forces, in addition to the high rate of insecurity has spurred the emergence of diverse coping mechanisms that include communal self-defense through the acquisition of SALW but which further creates new forms of insecurity through its use beyond self-defense to operating clandestine activities. Nigeria's current reality shows that its security architecture cannot cope with the logjam of banditry, kidnapping, farmer-herders conflict, and robbery.

This paper discovers that illegal small arms trade in West Africa encourages conflict, contributes to poverty and stunts development. Illicit arms and ammunition misuse negatively impacts society, ranging from injuries, death, psychological harm and displacement. It also leads to several extensive socio-economic effects on health and education. Africa is not unaware that it must encounter the threat of illicit SALW on a collective ground which is evidenced by the 2000 Bamako Declaration. The illegal flow of weapons is easily diffused and remains a key indicator of security breaches in the sub-region of West Africa. Within their limits, countries in West Africa have done a lot to counter the illicit trade of SALW. However, a lack of resources serves as a drawback in accomplishing the task. Drawing on a 2016 publication on Conflict Armament Research, it was reported that gun transfers in the Sahel region are on the increase and the analysis of stocks of firearms and ammunition seized from traffickers and combatants. The research indicated that while Libya has stopped being the major source of illegal firearms in West Africa, Côte d'Ivoire and Sudan have in recent times have the biggest stocks of guns in the region. Chinese and Russian firearms are also common.

Conclusion

The illicit flow of SALW in West Africa, particularly Nigeria, is frightening. What becomes clear is the relationship between increasing and unchecked arms flow and sustained open clashes in the sub-region. To prosecute the continental war on terror and in recent times, banditry in Nigeria and the sub-region, the war

on the illicit flow of arms is required to be won first. The free transfer of arms has empowered criminal groups and the confidence to commit even more crimes. The sub-regional organisation and the government of Nigeria are required to covet the firm support and confidence of the citizens before actions against the proliferation of arms and its associated threats could be taken. This objective can be achieved by building strong institutions and preparing a strong legal framework to penalise acts of violation and punish offenders. A holistic approach must be adopted to control the diffused socio-economic and political insecurity spurred by the proliferation of SALWs that has produced and promoted a culture of lawlessness in West Africa.

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