

INSURGENCY AND HUMAN RIGHTS IN NORTHERN NIGERIA

States affected by the insurgencies



EDITED BY
Habu Galadima
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CHAPTER ONE

Introduction

Moses T. Aluaigba

Overview

The phenomenon of insurgency is new to Nigeria's socio-political terrain; it is anathema to the two major religions in the country, namely Christianity and Islam. The rise of the *Jama'atu Ahlil Sunnah Lidda'awati Wal Jihad* group, also known as *Boko Haram* in Northern Nigeria, has undoubtedly presented peculiar security challenges in the region and endangered the frail thread that has sustained Nigeria's fragile national unity since 1960. The identity of this group has been variously defined. While some see it as terrorists, others view it as radicals who oppose the social rot inherent in Nigeria and wants to replace it with an Islamic model or order (Salihi, 2012: 212). Prior to 2009, the activities of the group were peaceful and confined to advocacy through preaching and mobilization for membership. However, for the past five years beginning from mid-2009, their activities have turned sadistic and have continued to be very violent, deadly and daring with immense concentration in the three states of Borno, Yobe and Adamawa in the North-East Zone of Nigeria. The violence by the group has manifested in different forms, such as outright massive attacks on police stations, police and military barracks, markets, educational institutions and targeted bomb attacks on government buildings, motor stations, churches, mosques, banks and filling stations. The sect has also expressed its violent character through the individual and mass abduction of prominent personalities like traditional leaders and clerics, school children and foreigners, suicide bombing using teenage girls and cars loaded with explosives, detonating improvised explosive devices at strategic locations and so on.

The consequences of these variegated forms of attacks have been monumental. Apart from the huge economic losses incurred as a result of insurgent attacks on infrastructure with grave effects on development in the north that will take years to rectify (*Tell*, October 28, 2013: 42-50); the economic activities in Northern Nigeria, in general, and the North-East Zone, in particular, have been thrown into a state of inertia because of heightened insecurity. Similarly, associated with insurgent attacks is the high level of human casualty. From 2009 to 2012, a total of 2,993 people comprising Muslims and Christians perished (Chouin, Reinet and Aparad, 2014: 233) due to insurgent violence by the group on the one hand, and due to counter-insurgent activities by security operatives, on the other. While the group kills villagers and students in hundreds on a weekly basis; the security agencies kill both insurgents and civilians through extra-judicial killings (*Newswatch*, August 24, 2009:10-18; August 1, 2011: 14-20; and November 21, 2011: 12-19).

Furthermore, the psychological trauma that victims of insurgency suffer is tremendous. This especially affects children, some of who have watched their parents killed in their presence during raids by the *Boko Haram* members. In fact, out of fear, some abducted school children who managed to escape from the group get scared of going back to school to continue their education. This endangers their future. Also, insurgent activities have led to social dislocation of the population in the affected states. Thousands of people have been forced to acquire the status of Internally Displaced Persons (IDPs) because they have been compelled to leave their homes to safer places. One other result of insurgency is the disruption of the school system because schools were forced to close in Borno and Yobe States for fear of attacks, thereby jeopardizing the educational future of majority of the children. Finally, Nigeria's international image has further been battered as the country has been ranked by the London-based Institute for Economics and Peace on the Global Terrorism Index (GTI) for 2013 as the fourth most terrorized nation in the world due to serial insurgent attacks in the north. This has potentially deterred investors and tourists from coming to Nigeria. All the efforts made by the Nigerian government, including the imposition of a state of emergency on Adamawa, Borno and Yobe States and the subtle attempts to broker peace and ceasefire through negotiation with the group to contain it, have all failed to end insurgency in the north.

In the emerging robust literature on the subject of insurgency in Nigeria, there exist numerous postulations intended to explain the reasons for the rise of insurgency in Northern Nigeria as demonstrated by the activities of *Boko Haram*. For instance, the view of Salihi (2012) is that the rise of *Boko Haram* is rooted in governance failure in Nigeria. That is, the inability of government to provide an enabling socio-political environment in Nigeria because of corruption has, in turn, generated poverty and unemployment and, conversely, produced violent groups, such as the Odua People's Congress (OPC), the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), Niger Delta militants, *Boko Haram*, etc. According to Walker (2012), what has ignited the dexterity of the sect is the method of counter-insurgency deployed by Nigeria's security agencies. This is more so because the “tactics employed by government security agencies against *Boko Haram* have been consistently brutal and counterproductive. Their reliance on extrajudicial execution as a tactic [has not only] ...created *Boko Haram*, as it is known today, but also sustains it and gives it fuel to expand” (Walker, 2012: 12). There is also the “grand conspiracy theory” that the phenomenon of insurgency in Nigeria is masterminded by external forces. But in an interview with the *Newswatch* Magazine (April 30, 2012), Junaid Muhammed refuted the theory as baseless. He attributes the problem to the “state of lawlessness” prevailing in Nigeria. Conversely, in another interview with the *Tell* Magazine (November 17, 2014), Governor Adams Oshiomhole of Edo State rebuffed the politicization of insurgency in the north because it is a very complex security

challenge. Whatever explanation is given for the uprising of the *Boko Haram* insurgency in Northern Nigeria; by virtue of the high rate of human casualty, incalculable material loss and the prevalence of human rights abuses arising from the destructive activities of insurgents, it is evident that insurgency constitutes a national problem in Nigeria that deserves to be tackled.

The Essays

It was from the backdrop of the socio-economic and political consequences of *Boko Haram* insurgent activities in Northern Nigeria that has manifested in form of human squalor and misery, social dislocation and despondency, increase in the number of IDPs, the surging rates of orphans and widows, distrust among the various groups in the region, etc.; that the Centre for Information Technology and Development (CITAD), through funding from the MacArthur Foundation, embarked on a research to investigate the level of human rights abuses arising from the violent insurrection of insurgents in the northern region. All the chapters in this book are products of that study, which is why, in their various discourses, the authors of the chapters confine themselves within the ambit of the scope of the research theme. The following paragraphs present the summaries of the contents of each chapter.

Chapter one is introductory in nature. One of the editors, Dr. Moses T. Aluaigba, shed light on the phenomenon of insurgency by giving a holistic impression of the nature of its activities, mode of operation and the efforts to explain its occurrence by scholars and commentators. The chapter contains a synopsis of all the chapters in this book to provide readers with a précis of what each chapter contains at a glance.

In chapter two, Raji Rafiu Boye examines some selected cases of killings in Yobe State by the *Boko Haram* insurgents. These include the killing of over 200 people in Damaturu on November 4, 2011, the Potiskum cattle market killings on May 2, 2012 and the killings at College of Agriculture, Gujba on September 29, 2013. The chapter also discusses the cases of the abductions and assassinations of prominent Yobe State citizens, such as clerics, traditional rulers and custom officers in Potiskum town. Raji looks at the role of the JTF in perpetrating human rights abuses in the state, particularly at checkpoints where, since the era of insurgency began, road users are either made to pay various sums of money at roadblocks or inhumanly compelled by soldiers and mobile policemen to undergo torture. Besides this, in an effort to contain attacks by insurgents, the security agents end up abusing the rights of ordinary citizens through random arrests and, more often than not, killing innocent persons more than the insurgents themselves. It is the opinion of Raji in the chapter that the JTF utilized the tactics of responding only after security personnel are attacked by *Boko Haram*, especially in Damaturu the state capital. This attitude led to mass migration of people to rural towns and villages, resulting in a massive rise in the number despondent and miserable IDPs in these places.

Furthermore, the chapter discusses the tremendous retarding effects of insurgents' activities in Yobe State, in general, and Damaturu in particular, to include the mass exodus of commercially-oriented non-indigenes to their states of origin and the obstruction of banking activities in Damaturu, the closure of banks in local government headquarters and the winding up of petty businesses, which altogether had crippled economic life of the state. Other consequences of the insurgency mentioned in the chapter include the occupation of stores belonging to individuals by the JTF and the total disappearance of social activities like wedding parties, clubbing, etc. because residents had to comply with the curfew restriction of movement. Finally, in order to address the problems associated with insurgents' activities, Raji suggests the need to re-orient and enlighten the people to know their rights better, strict adherence to constitutional provisions by government and its agents, the need for government to scale-up its assistance to victims of insurgency and the careful study of reports by human rights groups on the massive abuses of the rights of the people in the affected areas with the aim of punishing the perpetrators.

Abubakar Yahaya in chapter three discusses the Borno State variant of the insurgency with a focus on how the rights of women are violated. His main thesis in the chapter is that the world over, women tend to suffer more when conflict or crisis erupts. Thus, the case is not different in the context of the insurgent uprising in Borno State. As insurgency continually takes its toll on society, women are the hard hit by the venom released by *Boko Haram* hostility. Some of the activities liable to violate women's rights are kidnapping/abduction and rape and physical torture. In areas like Bama, Konduga and Marte, there have been cases where women have been kidnapped by the insurgents. Similarly, several women and girls were abducted in Abbagaram, Budum, Kofa Biyu, Ruwan Zafi and Gwange in Maiduguri. The most publicized of these abductions by the group was the one on April 14, 2013 at Government Girls Secondary School Chibok, in Chibok LGA of Borno State where 276 girls were abducted. Ostensibly, these girls or women are used as cooks, nurses, launderers and sex urchins because whenever some of them manage to escape, they return with pregnancies or babies. Apart from this, the trauma and solitary conditions in which kidnapped victims live in their abductors' camps subject them to enormous psychological servitude. This is the height of the violation of their rights. Abubakar concluded the chapter by recommending that human rights groups should redouble their efforts at campaigning for women rights. There is the need to review and strengthen the existing laws in Nigeria to protect women, encourage them and girls to report abuse of their rights and increased counseling to women victims of rights abuse, and that government should endeavor to put an end to insurgency because the phenomenon has provided fertile grounds for the rights of women to be abused by insurgents and sometimes even by security operatives.

Chapter four by Professor Kyari Mohammed discusses how the *Boko Haram* insurgency has led to massive the loss of lives, limbs and property, both public and private since 2009. He provides details on the manner educational institutions were particularly singled out by the insurgents for massive attacks for the reason that they are often not secured and, therefore, are vulnerable. The institutions are attacked because they serve as a symbol of western education and values, which the group abhors, and sometimes in revenge for security forces attack on *tsangaya* schools. These direct attacks on schools, students and teachers in the school environment, Kyari notes, have led to loss of lives, the abduction of school children, damage to infrastructure, the prolonged closure of schools, the loss of school records, etc. resulting in large scale drop withdrawal from schools. Using the Future Prowess Islamic Foundation School in Maiduguri, a not-for-profit school dedicated to the training of orphans and vulnerable children and widows as a case study; the chapter explains the need for all post-conflict peace-building efforts to include educational reconstruction and development for such efforts to be sustainable. The Future Prowess School, as demonstrated in the chapter, illustrates what community resilience and determination can do in conflict situations.

Chapter five by Nura Iro Maaji concentrates on the manner in which the human rights of innocent residents of Kano State have been abused since the activities of *Boko Haram* became pronounced in the state. His argument is that government exists to ensure the security of the citizens through its apparatuses like the police and the military. However, following the eruption of *Boko Haram* and the attendant insecurity of lives and properties and the preponderance of human rights abuses in Kano since January 20, 2012; the JTF was introduced to instill peace, sanity and the worth of human dignity. Unfortunately, human rights abuses increased rather than decreased in the state because of the conduct of the members of the JTF. By implication, the rights of Kano residents were abused on two fronts. On the one hand, the insurgents, through their attacks on the population, directly subjected it to inhuman and profane conditions physically and psychologically. On the other hand, the JTF, through their acts of extra-judicial killings, harassment, intimidation and extortion at checking points, denigrate rather than protect the human dignity of Kano residents. All the respondents interviewed by Nura during his research to generate data used in this chapter attested to the extensive abuse of human rights by the soldiers and policemen deployed to Kano to restore peace and security. In the concluding part of the chapter, Nura advocates for setting up a committee comprising civil society, the media and representatives of security agencies to monitor human rights violation during the operations of security agencies. He further suggests that government should improve the welfare of the members of the JTF; the JTF should work out the rules of engagement for its members, compensation of the victims of insurgency and the education/enlightenment of the citizenry to enable them to understand their rights and forestall abuse in the future.

The nexus between insurgency and the hardship the phenomenon has unleashed on the widows of policemen who died as a result of insurgent activities in Kano is what Fatimah Ibrahim has discussed in chapter six of this book. Similar to what Nura has done in the preceding chapter; Fatima specifically looks at the degree of despondency of women who lost their husbands in the 2012 insurgent attacks in Kano. Most worrisome, according to her, is the fact that there seems to be institutionalized abuse of the rights of the widows of policemen because the Kano Command of the Nigeria Police Force abandoned them and their children without processing the payment of burial rite allowances and the money from the Contributory Pension Scheme. Despite the non-payment of these entitlements, the widows were asked to pack out of their late husbands' official residences in the barracks. Worse still, when the pension money of some of the late policemen finally arrived, it became a source of sexual abuse of the widows because the officers-in-charge demanded to have sex with them before the pension money of their late husbands would be paid. Other widows were asked to pay certain amounts of money ranging from N15,000 to N20,000 before the entitlements of their husbands would be paid. In concluding the chapter, Fatima recommends that gender-related CSOs in Kano should expedite advocacy visits to the police authorities to pressurize the payment of the benefits of their late husbands. In similar way, the CSOs should monitor the widows and report any form of sexual harassment to the Police Service Commission and Human Rights Commission for appropriate punishment of culprits. She also advises serving policemen to empower their wives through education and/or skills acquisition in order to enhance the level of their economic independence in the event that the wives are bereaved. It is also significant for the officers of the Nigeria Police to utilize best practices in dealing with staff welfare. In this direction, the bad eggs in the force can be fished and flushed out.

In chapter seven, Dr. Emmanuel Ande Ivorgba takes a look at the Plateau State case study where human rights violation due to insurgency has become a seeming intractable problem. The author first observes that the causes of the crisis in Plateau State are multi-faceted and multi-dimensional. On the one hand, religion has played a part in which Muslims are set against Christians; and, on the other hand, the political factor has been very effective in fueling the crisis. For instance, in the last decade, the indigene-settler contestation has ignited political violence in which an estimated 7,000 people have been killed and property worth billions of naira destroyed. Dr. Ivorgba notes that for whatever reason that is given as a cause of the violence in Plateau State, whether it is inequality, injustice, political denial, etc., the losses and human rights violations arising from the crisis have been tremendous. On various occasions, women and innocent children are recklessly murdered in their sleep by gunmen just as thousands of residents have had their farmlands and sources of livelihoods completely destroyed. Other forms of human rights violation explained in the chapter are the right to life, decent burial and political

participation; the denial of access to land and resources; the denial of education/scholarship opportunities; the denial of the freedom of worship, movement and residence. To curb the unending the wave of the violation of human rights in the state due to unceasing violence, the writer suggests all-inclusive political participation involving minorities, constitutional reviews/amendments with regards to citizenship-indigene rights, the reduction of poverty, job creation and skills development and good governance and the implementation of the reports of previous Commissions of Inquiry, which should include the prosecution and punishment of all found guilty.

Muttaqa Yusha'u and Adam Alqali collaborate to demonstrate in chapter eight how the case of the Apo killings on September 20, 2013 illustrates the spate of human rights abuses in Nigeria that amplified following the advent of insurgency in the country. Their contention in this chapter is that, even though Nigeria has subscribed to major international human rights instruments, such as the United Nations Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights, and has institutions like the National Human Rights Commission, the Public Complaints Commission and the Legal Aid Council; the abuse of human rights pervades the country. In short, the Apo killings represent human rights violation perpetrated by the state through the military and the Department of State Service (DSS) because the victims were armless citizens seeking their livelihood in Abuja. Muttaqa and Adam reveal in the chapter that the Apo incidence represents certain strands in the history of human rights abuses in Nigeria. These are: The rising cases of the abuse of basic individual rights in Nigeria, such as the right to life, personal liberty, freedom of movement, etc.; the growing culture of impunity among the security personnel in the discharge of their duties and the resultant effect, which is that the rule of law, as a major requirement of democracy, has been undermined by the activities of Nigerian security agents. It also shows how the poor population is criminalized without recourse to known extant laws that protect individual rights. Furthermore, apart from the issue of human rights abuse, the Apo killings have laid bare the weaknesses in the operational mechanisms of Nigerian security agents. It clearly showcases the lack of synergy and coordination in intelligence gathering and sharing among the forces, and that the agents do not rely on modern technology in discharging their duties. In order to address these lapses, the authors suggest the need to boost the technical expertise of the Nigerian security personnel to effectively execute the war against terror and to engage the civilian population in all security campaigns/adventures in Nigeria. Also, it is germane for the Nigerian state to invest in economic activities that can provide employment to the teeming poor population.

Y. Z. Ya'u in chapter nine discusses insurgency using the case of northern Bauchi State. He demonstrates how insurgents operate on a vast network that is linked by corresponding paths. For a better understanding of insurgency activities, Ya'u divides their operations that cut across high

intensity region, low intensity region and isolated attacks. The activities of insurgents in the high intensity region are more dreadful because their intension here is to attack sustainably with the goal of acquiring territory which is why such attacks, as witnessed in Borno, Yobe and Adamawa States, culminate into high human casualty level, enormous material loss and very high numbers of IDPs. The activities of insurgents in low intensity areas are related to periodic attacks with a fewer number of victims compared to those in the high intensity region. The intent of the insurgents here is not to take over territory, but to make their impact felt, which is why there are often no serious cases of displaced persons and, as such, these areas are considered relatively peaceful. They, therefore, attract people from regions tormented by the highly intense activities of insurgents. Bauchi, Gombe, Kaduna and Kano States, according to Ya'u, are good examples of this second type. The isolated attacks Ya'u mentioned in this chapter, as the last class of insurgent activities, are noticeable in Jigawa State. In this case, the sole aim of the insurgents is to instill fear in the population and demonstrate their ability to carry out attacks anywhere. Sometimes the intension of such segmented attacks is to access food and weapons for further assaults. One striking aspect of Ya'u's analysis is his revelation that community resilience can defeat the insurgents. This was exemplified by the community action taken by the people of Azare in Bauchi State in 2012. He notes that community action can reduce the rate of human rights abuse and seemingly deter insurgents from further attacks. However, as potent as civil-military strategy is, the government/military seems to disdain it. This is why counter-insurgency is proving fruitless in the North-East because of the lack of trust and confidence the people have in Nigeria's security agents. He concludes the chapter by suggesting that improved military-civilian relation and collaboration are indispensable if the war against insurgents is to be won by government.

Chapter ten by one of the editors concludes the discourses contained in this volume. In contending with the insecurity and human rights abuses arising from insurgency, Professor Galadima holds the view that what the chapters in this book have discussed is a clear attestation to Nigeria's inability to exert her might and control over her territory and, thereby, forfeits the security of her citizens. In his wrap-up note, Galadima casts a bleak future on the state of human rights in Northern Nigeria, which, according to him, will continue to dwindle due to insurgency except the Nigerian government step-up its drive towards foiling violent extremism and restoring peace in the region.

It suffices to say that the newness of the insurgency in Nigeria undoubtedly poses thorny challenges to government and its security operatives. This suggests the desirability of urgent steps that need to be taken to curtail the raging uprising and forestall its future resurrection. It is hoped that the essays presented in this book will further widen the horizon of the knowledge of policy makers, security experts, academics, etc. on another

phenomenon that, apart from the Nigerian Civil War of 1967 – 1970, has shaken the stability of Nigeria and further worsened the fragility of the tender ties that bind the country as a political entity.

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CHAPTER TWO

Human Rights Abuses in the Context of Insurgency: A Study of Selected Incidences of Insurgence Killings in Yobe State

Raji Rafiu Boye

Introduction

Yobe state is having its first experience in insurgency with the attendant human rights abuses. The *Jama'atu Ahlil Sunnah Lidda'awati Wal Jihad* (otherwise known as *Boko Haram*) launched their attacks on major townships in the state from July 2009, and has thrown the entire northeastern part of the country into disarray as security; fundamental human rights and socio-economic development have severely deteriorated.

Yobe state is one of the six states that formed the North East geopolitical zone of Nigeria. The state was created in August 27, 1991 by the administration of General Ibrahim Badamosi Babangida along with fifteen others. According to Yobe State diary, the state has an area of 47, 153 square kilometers. It shares boundaries with Jigawa and Bauchi states to the west, Gombe and Borno states to the south and Borno State to the east, respectively. Similarly, Yobe State shares international border with Niger Republic to the north and this covers 323 kilometers (Yobe Dairy, 2013).

The occurrence of the *Boko Haram* attacks as well as the high level of threats to the security of persons, businesses and property in the major towns of Potiskum, Damaturu and Gujba went beyond the capacity of the civil authority to manage. Hence, the Joint Task Force (JTF) was formed with the intention to help alleviate the security challenges resulting from the *Boko Haram* insurgency. However, the intervention of the JTF generated mixed reactions; this is because while the JTF pursued the insurgents, they violated the rights of the residents of Yobe State.

There were several reports of missing persons and incidences where some of the missing persons were found in the morgue. Many others are still missing in the past three years. Reports of torture and inhumane treatment at the JTF detention camps were rampant. There were several complaints of the assassination of influential people, especially from the Police, Custom Services, Clergymen and Village/Ward Heads. The outbreak of the *Boko Haram* insurgency has led to the killing of several people in Damaturu, Potiskum cattle market and the College of Agriculture, Gujba.

The JTF set up road blocks, which became channels for extortion and the violation of human rights. In spite of the constitutional rights of all Nigerians to choose their places of residence, the emergence of *Boko Haram* has forced several thousands of people to flee their residence to either their places of origin or the Internally Displaced Persons camps. The camps were without essentials and management.

The insurgency has undoubtedly affected the socio-economic rights of the residents of Yobe State. As a result, there were continuous migrations from the urban to rural areas, especially as the situation has deteriorated in the rural areas, where people were forced to migrate back to urban areas.

The main objective of the research is to document the extent of human right violation as a result of *Boko Haram* insurgency in Yobe State. The specific objectives are to detail the:

- i. Killing of over 200 people at Damaturu;
- ii. Killing at Potiskum Cattle market;
- iii. Killing at College of Agriculture Gujba;
- iv. Abductions and assassinations of prominent citizens such as Clerics, Traditional and Custom officers at Potiskum town;
- v. JTF's tactics of not attacking *Boko Haram* unless a military personnel is attacked;
- vi. Human rights abuse at check-points;
- vii. Internally displaced persons.

The importance of data for the conduct of any research is very profound. Hence, the research adopted both documentary and empirical methods for data collection. In doing these, the researcher consulted many internet and newspaper reportages, as well as the literature written on the subject matter. Given that the researcher is a resident of the area of study, personal experience and information were used. In addition, face-to-face/telephone interviews were equally conducted for the collection of valid data.

The research is limited to the above stated objectives and covered the beginning of the insurgency to the incidences of killing at the College of Agriculture, Gujba in Yobe State. However, getting the official side of the some of the argument is a serious challenge, because wherever the security personnel erred they rarely concur. Hence official reportage and information from victims or their relatives were used. It was adopted as this study's theoretical framework. The securitization theory was developed by the Copenhagen School in the early 1990s. Charrett (2008) describes the theory as the inter-subjective and socially constructed process by which a threat to a particular referent object is acknowledged and deemed worth protecting. In another sense Buzan, Waever and de Wilde and Waever opine that Securitization is the inter-subjective establishment of an existential *threat*, which demands *urgent* and *immediate* attention, as well as the use of *extraordinary measures* to counter this threat (Wæver 1995: 51; Buzan, Waever and de Wilde, 1998: 24). The theory explained the comprehension of the insurgency in Yobe State by the policy makers, which has been severely subjected to different conspiracy theories. Based on these theories, the Nigerian security sector established a JTF that might have received the wrong instructions from their commanders. This is because the initial actions of the JTF almost equal the insurgency in destructive tendency.

The above is true based on the complaints of those that flee the town of Damaturu between January and December 2012, which was attributed to the indiscriminate arrests and killing of people in Damaturu.

The goal of the Copenhagen School was vividly defined by Buzan, Waever and de Wilde (1998), as follows:

Based on a clear idea of the nature of security, securitization studies aims to gain an increasingly precise understanding of who securitizes, on what issues (threats), for whom (referent objects), why, with what results and, not least, under what conditions (what explains when securitization is successful) (Buzan *et al*, 1998: 32).

Going by the above one would recall that the entire planning and execution of the security of the state is done at the force headquarters, so much so that field commandants are sometimes being prevented from taking actions under critical conditions. In other occasions, field commandants are ordered to withdraw soldiers from a location only for that particular place to be attacked with serious destruction. In essence, the ill-definition of the securitization of the state gave the *Boko Haram* the chance to commit more atrocities while the JTF's responses in many occasions during the period under study became counter-productive. This is given the high rate of the unintentional and intentional killings that occurred.

Understanding Insurgency in Yobe State

The 1991 census revealed that the state's population was 1.4 million and was estimated to be 2 million in the year 2000 and 2.5 million according to the March 2006 census (Yobe Dairy, 2013). The state has thirteen local government areas at its creation in 1991. However, during the administration of General Sani Abacha, this number was increased to seventeen in 1996. The seventeen local governments are: Bade, Bursari, Damaturu, Fika, Fune, Geidam, Gujba, Gulani, Jakusko, Karasuwa, Machina, Nangare, Nguru, Potiskum, Tarmuwa, Yunusari and Yusufari.

The local government areas of the state seriously affected by the activities of the insurgents are: Damaturu, Potiskum and Gujba. These form the focus of this research. Damaturu is the capital of Yobe State, with a confluence of people from all works of life. Potiskum is a cosmopolitan town with a large business potential, especially the 'Tikke' cow market, which is patronized by people from all over the country and beyond. Gujba, located within the Gujba local government area, is one of the populous local governments in Yobe State with tradition setting. The town is renowned for its farming and learning activities.

Between 2002 and 2009, the *Boko Haram* performed various activities on preaching and calling people to a strict Islamic way of life. The recruitment of youth by the group was taken lightly by the mass populace and governments at both state and national levels. However, between 2007 and 2009 the group began a serious campaign and resistance to the constituted authority, having several clashes with the police and the Road Safety Corps with regards to wearing safety helmets, which the group refused.

On 27th July, 2009 the *Boko Haram* insurgents launched a violent attack campaign on Maiduguri and its environs, including Potiskum, Bauchi, Gombe and other major towns in the North where the group has strong followers. This four-day fight tested the capability of the police to protect the lives and property of the citizenry. The military was invited to quell the challenges. This led to the death of over 1000 people, composed mainly of the group members, policemen and some innocents civilians – who were either brutally killed by the insurgents or by stray bullets. The July attack equally recorded a number of wounded individuals and the destruction of many structures belonging to the private public sectors. The military intervention led to the dispersal of the insurgents group. Their leader, Mohammad Yusuf, his in-law, Baba Fugu Mohammed, and a prominent top Borno politician, Buji Foi, among others, were extra-judicially killed by the police (Amnesty, 2013). Even after the attacks have plummeted, the police continued to ransack the town. Many people were arrested on the suspicion of being members of the group. Most of them were suspected to have been summarily executed.

The *Boko Haram* group resurfaced in September 2010, attacking prisons in Bauchi and Maiduguri, and freeing their members in the process. Since then, the *Boko Haram* has occupied the focus of both the national and international media. Furthermore, lots of atrocities have been committed during this period by them. This led to the constitution of an ad hoc military monitoring group in the form of the JTF to curtail the rising of attacks and killings in the Borno and Yobe axis from the activities of *Boko Haram* insurgency.

On 4th November, 2011, the *Boko Haram* insurgents extended their deadly attack to Damaturu, Yobe State and later spread to other major township of the state, notably Potiskum, Geidam, Gujba, Goniri, Buni Yadi, Ngelzarma, etc. They struck several targets, from individuals to places of worship, banks, government buildings and military/paramilitary installations.¹ Damaturu was infiltrated by the group. Thus, the regular shooting and killing of influential personalities and military/paramilitary personnel became the order of the day. The unceasing exchange of shooting and deployment of JTF (who equally commenced indiscriminate killing) sparked a wave of mass exodus of people from Damaturu to various suburbs seeking for peaceful and secure environments. Majority of the people trooped to Ngelzarma, Babangida, Ngamdu, Kasaisa, Katarko, etc. (all being suburbs around Damaturu town). The first sets of people to flee the town were non-indigenes who immediately moved to their various towns/states of origin. The indigenes mostly moved to their towns of birth. Hence, since 2011 the people, business and means of livelihood ceased to flourish as a result of the security challenges in the state.

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¹ Reported by Bala Ajiya of *Vanguard* Newspaper, on 12 November, 2011

personnel, marked the beginning of the incessant insurgency in the state. The attacks were carried out by the means of using cars laden with Improvised Explosive Devices (IEDs), gun shooting and suicide bombing. The shock sent by the attacks has since destabilized the business and various means of the livelihood of the residents of the state.

The insurgency attack has subsequently taken different dimensions, starting from the individual killing of military and paramilitary personnel, to targeted killings of ward/village heads, retired military personnel, prominent businessmen and Islamic clerics in the community. The tactics then shifted to isolated cases of vulnerable targets like villages, hamlets and schools in remote areas. This has resulted in the killing of traders/buyers in market places and students in GSS Mamudo, GSS Damaturu, College of Agriculture, Gujba, Federal Government College, Buni Yadi, etc.

The unceasing attacks have led to the exodus of people from the state's metropolises, thus crumbling business and economic activities. At present, the turn-over of businesses has greatly reduced, and the population has been drifting from the township to the villages, and back to the township in a continuous wave. No single day passes without one seeing people coming to Damaturu in their tens, especially along Gujba road.

For almost five years now, the killing campaign by *Boko Haram* has continued unabated. All the mechanisms put in place by both the state and federal governments appear to be insufficient for the resolution of the crisis. Moreover, the deployment of the JTF and the declaration of a state of emergency have been a mixture of agony and delight. This is because at present even the JTF has been enmeshed in protecting its personnel rather than the public and their plight. In addition, whenever the JTF attempts to act swiftly, they kill more innocents than the insurgents. In fact, there are more innocent people detained by JTF than the insurgents (*Leadership Newspaper*, 2014).

Data Presentation and Analysis

The data generated from the field for this study is presented in the subsequent sections and analyzed.

The Killing of over 200 People in Damaturu

Damaturu was a quiet town that was chiefly known for the peaceful coexistence that exists among its dwellers. All the ethnic and religious groups have their associations. They meet freely and conduct social and economic activities accordingly. Since the outbreak of the *Boko Haram* insurgency, however, the tranquility and peace of the town has been turned to hostility and enmity. The embryonic business activities in the town have plummeted and things are longer the same. The re-emergence of the insurgency attacks in Maiduguri in 2010 led to the influx of people to Damaturu in an attempt to escape the onslaught of the Maiduguri attacks. However, this has changed since November 2011.

From 4th November, 2011 the town of Damaturu ceased to know peace. At about 4.00 pm of that fateful day a series of explosives rocked several strategic points of the town. Several people, including soldiers, policemen and civilians were killed in the bomb blasts that occurred at Damaturu and Potiskum. The State Police Headquarters, the Anti-Terrorists Squad base at the red bricks, several security vehicles, including anti-bomb and anti-terrorist squad operational vehicles, the First Bank, UBA and some churches were among the structures destroyed during the blasts (BBC Report, 2011).

The experiences of some people were documented in the following manner. A resident of Hausari ward bears his mind on the November 4th attack, which led to the death of his brother, Manman. “We were with him when people started to run helter-skelter. The confusion became terrible when we departed around 5.00pm. He did not return home, we later found his corpse at the hospital mortuary” (Interview, Baba Modu, 2014).

Halilu is among the newly migrants from Maiduguri. He is a resident of Maisandari ward. He narrates how his son was brought to Damaturu to escape the attacks going on in Maiduguri only to meet his death in Damaturu. One of the early callers to the hospital morgue in search for his missing brother narrated that the sight of the corpse at the mortuary was terrible for so many of the deceased had their bodies shattered beyond recognition (Interview, Babale, 2014).

The impacts of the November 4, 2011 attack had hardly settled down when another round of attacks shock the township of Damaturu and Potiskum on 22nd December, 2011. These attacks resulted in an all-night gun shooting between the policemen/soldiers and the insurgents in attempts to ward off the onslaught of the insurgents. The aftermath of this 22nd December attack was the death of over sixty people, including seven soldiers (*Daily Times*, 2011). The attack resulted in the arrest and detention of several civilians going through their normal daily routine activities. Some of these people have not been seen till date.

For instance, Baba Kachalla (aged 70) has several children and grandchildren. However, he has only one male child who had not been seen since the December 22nd attack. All the effort to locate his whereabouts yielded no positive result. He said he has since concluded that his son was among the unlucky ones killed in the attacks (Interview, Kachalla, 2014).

A student at one of the higher institutions in Damaturu bore his mind on the loss of his father during the attack. He said things have not been the same for them since the death of their father. He has five others siblings and their mother (Interview, Yusuf, 2014).

The gruesome attack is the most terrible thing that has happened in Damaturu. An eyewitness reports that the people saw these boys (*Boko Haram* members) going around with guns and other dangerous weapons, showing signs that they are going to cause trouble. However, no one has the courage to

report the situation (Interview, Anonymous, 2014). He said many corpses (apparently those of innocent people) littered the major roads especially the main roundabout of the town. A resident who lost his brother in the attack, said “found his corpse at the General Hospital mortuary after two days of searching. We did not expect to locate his dead body at the mortuary because he was a gentle person. He was reserved and not a trouble maker” (Interview, Ahmad, 2014). Ahmad was visibly sobering and disturbed while recounting the memory of his later brother.

Since the December 22, 2011 attack on Damaturu and Potiskum, targeted killings of individuals have increased in Damaturu. The assailants mostly aimed at both serving and retired policemen and members of the State Security Service (SSS). In these instances, many people have been murdered in the insurgents' assumptions that they were feeding the security operatives with information concerning their activities. These made so many people apprehensive so as to stop volunteering information to the policemen and JTF.

On June 19, 2012, *Boko Haram* struck on the city of Damaturu, engaged the JTF and Police in several hours of gun battles. Thirty-four people were reportedly killed, including three policemen and one soldier. Some few days later, the group members invaded the Damaturu prison, where they killed the entire prison warders on duty and freed all the prisoners some of whom were their members. On 30th June, the JTF launched pre-emptive attacks on the members' hideout. They reported the killing of tens of members of the insurgent group. However, complaints of missing individuals abound in the town of Damaturu a few days later. This implies that some of the people killed might be innocent. For instance, Jibril (aged 53) narrated his experience. He said that his son, Malik (aged 21), did not return home as usual. He searched all the police stations, General Hospital and the 'Guantanamo', etc. for his son along with his friends and till date there is no news of his child's whereabouts (Interview, Jibril, 2014).

Inhumane killings by both the *Boko Haram* and JTF usually led to people running away from their neighborhood whenever there is an attack. Ibrahim explained that many a times they would discover that somebody was killed. The next thing you see is the arrival of the JTF and sporadic shooting and the indiscriminate arrest of passers-by. According to Ibrahim (2014), “Hence, the day five people were beheaded and their detached heads and bodies ditched on the highway along *Gashua* road, all the residents of our area vacated their houses until the corpses were removed.” He said the killing of these people none of whom the people living in that area could immediately identify was the worst inhumane killing he has seen in the entire crisis. These young people's heads were completely cut-off and placed on their chests (Interview, Ibrahim, 2014).

In their attempt to rid the city of Damaturu of the *Boko Haram* insurgency, the JTF conducted a house to house search and screening. The most affected areas were Ajari, Bindigari, Gwange, Pawari and Nayinawa wards.

During the search, massive arrests were made. However, majority of those arrested were innocent. Suffice it to say that so many of them died in detention due to poor feeding, lack of medical attention and suffocation. At the time of writing this report, some of the people arrested on that day are still in detention with no charges brought against them in any court of law.

Alhaji Gaji (aged 40) is a brother of Modu Gambo of Alhajiri ward, who died in the mass arrests from the house to house search. Modu left a wife and children to mourn him. Commenting on the incidence leading to his arrest and later death, Mallam Usman, an Islamic scholar in the area, said that they lost a lot of people to the operations of the JTF and *Boko Haram* and most of the people killed are known to be innocent. "This is because most of the people in the group were equally known to us," he said. He affirmed that Alhaji Bukar, Musa Malam and Babagana Ajimi are known to be innocent and did not involve themselves in the activities of the *Boko Haram*. However, they died in JTF detention (Interview with Mallam Usman, 2014).

During the same period, many passersby were arrested along Maiduguri road. They were taken to the stadium where they were screened; some were released immediately while some were taken to 'Guantanamo'. However because of overcrowded nature of the unventilated shops they were detained many of them died before the next day. Abba Al-Amin's elder brother, Bakura (aged 33) was among those arrested at the stadium. He was innocent, his arrest was discovered when he did not returned home. However, because of the news of the mass arrest the relatives went to the venue of the arrest and found his bicycle and the food items he brought for his family. When they approached the JTF about his well-being after a week they were told that he was among the dead. He died two days after he was taken there. His body was not recovered and no reason was given for the cause of his death.

The Killing at the Potiskum Cattle Market

On 2nd May, 2012, an attack was carried out on Potiskum cattle market. It operates on Wednesdays. This attack led to the killing of over 63 persons. The incidence leading to the attack was the apprehending and killing of a member of a suspected armed robbery gang who attempted to robbing traders in the market. The opinion of majority of the eyewitness was that the killing of the armed robbers annoyed the remaining members of the gang, who later came at night for a reprisal attack. BBC news (2012) reported that a group of gunmen armed with explosives and assault rifles attacked the Potiskum cattle market. The gang used explosives and shot indiscriminately and set the market ablaze, thus killing and injuring many people, mostly the cattle dealers who usually passed the night at the market. The gang tactically locked the gates of the market, hence trapping the market dwellers and their livestock inside. This gave them the chance to cause maximum damage on the market people.

The chairman of the market association (Interviewed, 2014) confirmed the death of over 160 people from the incident and the killing of three hundred

and eighty cattle, while two hundred and forty cattle went missing. Corroborating this fact was Mallam Adamu Wami, a trader as well as an officer of the market association (Interviewed, 2014). He said that the incident was tragic because they lost their partners as well as their fortunes. For instance, he said, many of the surviving members have stopped coming to the market as a result of the destruction to their capital through the killing and theft of their cattle. Mallam Mustapha, Mallam Ali and Mallam Mahmoud (Interviewed, 2014), all of whom were witnesses to the occurrence of the incidence, lamented the inhumane killing of people at the market. For instance, many traders were thrown into a well located in the center of the market by the attackers. This led to their deaths.

The core of the deprivation and violation of the right of these traders was the fact that about three security checking points were located less than one kilometer to the scene of this ugly incidence. It is apposite to report that no security came to the rescue. Supporting this point, as reported by FI Magazine (2012), was a communiqué signed by the Potiskum elder's forum in Abuja (the membership comprises Dr. Fika Adamu, Alhaji Mamu Abubakar, Malam Ibrahim (the Chiroma of Tikau), which accused the security agents of inaction and lack of proactive measures to prevent or challenge the occurrence of the incidence. For instance, the attempted robbery incidence leading to the night attack did not attract the presence of the security. Likewise, when the hoodlums came back at night around 8.00pm no response was made.

Upon the horrendous and barbaric act committed by the attackers, Abubakar, a trader at the market, said that the security operatives, be it the army, mobile police, etc. failed to act, forestall, prevent or challenge the occurrence of the incident. Likewise, they refused to come to the rescue of the victims at their hour of need. Hence, the traders' rights to the security of lives, money and property were violated in the incidence. It is estimated that apart from the deaths of over 160 people, property loss is estimated at over fifty million naira (N50, 000,000:00). These include 380 cattle killed, 240 missing, 8 vehicles and 2 tricycles (*keke* NAPEP) (Interview, Abubakar, 2014).

The market dwellers killed in the attack were mostly from other parts of the country and beyond. However, Mallam Alhaji (Interviewed, 2014), a resident of Potiskum who lost his brother to the attacks, narrated how his entire family members were dejected by the sad incidence. He said that the death of Mustapha was a painful and an irreparable loss to the family, since he was the major provider for the family's financial needs. Apart from the foregoing, the secretary of the market association said that:

The market was grossly affected by the incident, since the Tikke is one of the biggest cattle market in Africa and people patronize the market from more than five countries, many of whom have withdrawn their patronage.that before the occurrence of the incident, they usually load close to 100

trailers of cattle weekly to various destinations. However, they load less than thirty trailers a week at present. Hence, this has affected the traders' income and the revenue generation of the union and government (Interviewed, 2014).

The responses of the governments at both state and federal levels were, however, commendable, for they offered some financial/material assistance and made a firm promise to reconstruct the Potiskum cattle market. A promise the state government is yet to fulfill. The Chairman of the market confirmed that the governments gave six hundred thousand Naira (N600,000.00) to the families of those that lost their lives, the sum of three hundred and fifty thousand Naira (N350,000.00) for each vehicle and two hundred and fifty thousand Naira (N250,000.00) to the owners of tricycles destroyed in the attack.

Commenting on the adequacy of the amount given in relation to their losses, Mallam Alhaji (Interviewed, 2014) complained that the assistance given by the government was inadequate. He lamented, for instance, the gap created by the demise of Mustapha cannot be filled by such. Narrating this, he said that his brother had three wives, eleven children and nine other dependents, including his mother and step mother.

The Abduction and Assassination of Prominent Citizens such as Clerics, Traditional Rulers and Custom Officers²

- a) On 6th March, 2012, gunmen attacked and killed the newly appointed Comptroller of Nigerian Custom Service Borno and Yobe command, Alhaji Adamu Ahmadu. The incident occurred around 7.00 pm. Four gunmen suspected to be *Boko Haram* members forced themselves into the Custom Comptroller's resident, shooting and wounding many people in the process.

The researcher interviewed a relation of the deceased Customs Comptroller. The relation, named Maikudi Haruna (Interviewed, 2014), lamented the demise of their father, uncle and brother. He said the gap created by his death cannot be filled because he is the one that usually helped both close and distant relations, including strangers. He said that Alhaji Adam Ahmadu was a man of the people who was always ready to help.

When asked about government efforts after his death, he said though government came to their aid through financial as well as material assistance, however, the inability to arrest the perpetrator is most disturbing.

² Accounts of killing incidences in Potiskum by Mustapha Alhaji Ali, a resident of Potiskum who participates in the data collection for the report

- b) On 23rd October, 2012 a Customs Comptroller General, Ajiya Waziri, along with his son, a medical doctor, were abducted from their home around 1.30 am. The abductors, still unknown, drove the duo to a location along Fika road where they were tied and killed. The abduction and killing of Comptroller General Ajiya was done along with stealing valuable property at his residence. Neighbors that witnessed the incidence believed that the assassins were actually motivated based on some certain sentiments. These killings were both the deprivation of lives and loss of property, as the assailants did not spare any moveable items in the house.
- c) There are several incidences of the assassination of clerics and traditional rulers at Potiskum at the peak of the *Boko Haram* attacks. Among the victims were i) Mallam Mustapha, ii) Allaramma Dan Gubana and iii) Mallam Ibrahim Lampade.
- d) Two children of the District head of Ngojin, Mallam Salisu Mohammed Auwal were gruesomely murdered by people suspected to be *Boko Haram* members. The belief of the family was that they actually came to assassinate their father. However, on missing him they set his house ablaze and threw the two children in to the flaming fire. Commenting on the incidence, a close relative of the family who preferred anonymity said that the death of the children is the most inhumane thing he ever experienced. And this is arising from the waves of insecurity that pervaded the state. He appeals to the authority to step up action to arrest the culprits and let justice prevail, so as to deter the re-occurrence of similar incidence in the future.

Human Right Abuse at Checkpoints

The constitution and laws of the Federal Republic of Nigeria provide for the freedom of movement within the country and even beyond, and the choice of your area of settlement. However, security personnel, since the beginning of the *Boko Haram* insurgency, have decided to create and operate a number of roadblocks in most cases at a very close distance. More disturbing are the activities going on at the various checkpoints.

Since the outbreak of the *Boko Haram* insurgency in the Northeastern Nigeria from 2009, checkpoints are a common sight. These come in various forms, such as joint police/military checkpoints, Police checkpoints, mobile police/army checkpoints and numerous checkpoints comprising all military/paramilitary formations. These have become the order of the day because of the rising waves of insurgent attacks.

The fact is that most of these checkpoints came up at the height of the *Boko Haram* insurgency when it was believed that they would assist in checking the influx of items seemingly used in perpetrating most of the dastardly actions of the insurgency. Also, the checkpoints were used to observe the movement of the insurgents going to or escaping from the scene of attacks.

However, law abiding citizens ply these roads. Most especially those commuting with commercial vehicles experience different types of harassments and abuses at the various checkpoints. A clear and undisputed fact is that you have to pay before you are allowed to pass through the gates. The security personnel have fixed charges for various types of vehicles plying the roads and depending on the types of their loads. For instance, commercial buses and taxis pay fifty Naira (N50), while those with goods are asked to pay one hundred Naira (N100), heavy Lorries and trailer also pay according to their loads. Those with household items pay between five hundred (N500) and one thousand naira (N1,000) at any checkpoints from Damaturu to Potiskum and so on (Interviewed, 2014).

Recounting their ordeal at the hands of the security men, Ibrahim, Modu, Sunusi and Kachalla (Interviewed, 2014), all commercial drivers, have at one time or the other encountered checkpoint maltreatment. One of them showed wounds sustained from merciless beating from the security men along Damaturu and Potiskum.

The Chairman, the Vice Chairman and the Secretary of Nigeria Union of Road Transport Workers (NURTW) (Interviewed, 2014) said that the cases of human rights abuses at security check points have become a daily occurrence since no one single day passes without complaint from their members. They gave instances like there are eleven (11) security checking points from Damaturu to Gujba/Buni Yadi, eleven (11) from Damaturu to Gashua/Geidam, ten (10) from Damaturu to Potiskum, about fifteen from Damaturu to Maiduguri and a greater number from Damaturu to Kano. The proliferation of the checking points and non-adherence to the ethics of their profession have turned the security checking points to money making points. In a situation where one refuses to give them their requests they trumped up charges against one, apart from the physical punishments usually meted out on the road users.

In one of the researcher's visit to the main station at Damaturu during the course of this report, two ongoing cases of police/army abuses of human rights at checking points came to the notice of the researcher. The first case involved Ibrahim Ali (Interviewed, 2014), a commercial driver plying between Damaturu and Gombi in Adamawa State. The incidence occurred at Gujba, when the security men asked all his passengers to disembark from the vehicle and show their identity cards. Two of the passengers had no identity cards and were asked to pay five thousand Naira (N5,000) in order to continue the journey. They asked the driver to negotiate with his passengers; they begged and negotiated to give five hundred Naira. This did not go down well with the

the driver and he showed his annoyance. This resulted in his being beaten mercilessly by the security agents. He was beaten to the extent that another driver had to convey him and his vehicle back to Damaturu.

The second case involved Usman Musa (Interviewed, 2014), also, a commercial bus driver, who was asked to pay five thousand Naira (N5,000) for conveying satchet water without NAFDAC number because he refused to give their initial demand for five hundred naira as the passage charge. He was made to off-load one hundred bags of satchet (pure) water. In the end, he had to pay the sum of three thousand Naira (N3,000) before he was released. Though the incidence was contested by the drivers' union who later sought intervention of the leader of the JTF, hence the driver got a refund of his money.

There is also the case of Bukar (Interviewed, 2014), who was asked to jump into an eight feet dam along with other presumed offenders at a roadblock. He remained there for almost two hours before being set free. In most cases where the driver was the offender, they usually transferred the passengers to another vehicle, and if the passenger was the offender they asked the driver to proceed with the journey without the passenger. The collection of money at the security checking points has been 'legitimized'; this is given the fact that all the categories of vehicle plying the roads have the fees they must pay to pass. Moreover, most worrisome of these, which ascertain its legitimacy, is the issuance of changes in case the motorists give a bigger denomination of the currency. In fact, the soldiers/mobile policemen themselves usually go round to scout for change in order to settle the drivers.

The Killing at the College of Agriculture, Gujba

In July 2012, the JTF imposed a 72-hour curfew on Damaturu Township, with the intension of screening the residents of the town for the possible apprehension of *Boko Haram* members. The expiration of the curfew and subsequent improvement in the civilian-military relations made the JTF release some GSM numbers to enable civilians to contact them in case of emergency. The issuance of these numbers across the major township of Damaturu, Gashua, Nguru and Potiskum assisted and raise the courage of the people to hint the security operatives about the movement of the insurgents, especially those within Damaturu town. Hence, many members of the sect were reported and arrested. This led to the insurgents running away from the major township to the villages where the presence of the security personnel was minimal. The resultant effects of these were attacks and killings in the remote areas, especially educational establishments. First, they attacked Government Secondary School, Damaturu, and then the insurgents attacked Government Secondary School, Mamudo, near Potiskum, and subsequently College of Agriculture, Gujba.

On September 29, 2013, Associated Press (2103) reported the shooting and killing of dozens of students at the College of Agriculture, Gujba in Yobe State. The students were reported shot while in their sleep at the dormitory

while their attackers equally set classes and other buildings ablaze. The report by Associate Press and other media outfits claimed that 50 students were killed in the attack, which began from midnight and lasted till daybreak.

Several reports have it that since the attacks on GSS, Damaturu on June 16 and GSS, Mamudo, on July 6, 2013, complaints were made that government at all levels should strengthen security around schools in remote areas. However, instead of improving on the security, it was narrated that the inadequate security personnel at the premises of the College of Agriculture were redeployed to a different location prior to the occurrence of the attack.

Since the occurrence, the least the government did so far is relocating the college to Damaturu. Although there is improved security at the new location in Damaturu, many students refused to return to the college, given the fact that a similar incidence occurred at the secondary school located there.

The students felt they were not secure because the security personnel are not actually committed to guaranteeing their safety. It was reported that some of the students saw strange faces in the late-afternoon and reported same to the security, but their insinuations were ignored until the violent attack was carried out.

Mohammed (Interviewed, 2014) lamented the weakness of the security and their inability to save the situation on the day of the attack. He said many students that survived it followed their instincts, resulting from the strange faces spotted earlier on the day of the attack. They did not sleep through the night. Hence when they heard the attackers' footsteps, they quickly ran to the bush.

Adamu Usman (Interviewed, 2014) described the incident as barbaric and heartless. He said the attackers had no pity on human lives, and the way they killed means that they are desperate. An administrative staff (Interviewed, 2014) of the college, who preferred anonymity, said the blame for the occurrence of the incidence falls on the government who closed the schools for almost four months and achieved nothing as far as strengthening security around the schools in the state is concerned. Most of schools in Yobe State are without fence and they are mostly located in isolated places, thus making attacks much easier for the insurgents.

Ibrahim Sale (Interviewed, 2014) said the insurgents showed a kind of familiarity with the college and its facilities. This is because the ease at which they identified the boys' hostel and bypassed the female dormitory shows that they might have surveyed the college before their arrival for the attack. A parent (Interviewed, 2014), said that up till now government is not yet ready to tackle the *Boko Haram* issue. Thus, without bringing the perpetrators of the callous killing to book and the rights of the slain students established, most parents' mind would not be at rest.

The JTF Tactics of not Attacking *Boko Haram*

The presidency on 9th November, 2011, after a series of *Boko Haram* insurgent attacks across some northeastern states, decided to make ad hoc military measures against the insurgents, especially in the affected states of Adamawa, Gombe, Bauchi, Borno, Taraba and Yobe. The establishment of the special military operation – the JTF – became paramount since the members of the insurgency were believed to use Damaturu as a safe haven in the conduct of their operations in Maiduguri. This coupled with the fact that the November 4, 2011 attacks on Damaturu and Potiskum recorded many casualties from the civilians, as well as the security personnel.

These gruesome incidences prompted the deployment of military personnel from the 241 Recce Battalion Nguru to support the police in quelling the growing waves of insurgent killings in Damaturu. The deployment actually calmed the attacks, especially on a large scale. However, it did not prevent targeted killings, as these became a daily occurrence. On 22nd December, 2011, the *Boko Haram* insurgents launched another deadly attack on the city of Damaturu, killing both security personnel and civilians. The attack led to 62 deaths among the security personnel and civilians. These further forced the military establishment to reinforce the men. It is at this point that certain aggressiveness was introduced in the fight against the *Boko Haram* insurgent's attacks in Damaturu. However, innocent civilians were seriously affected by the crackdown than those of the insurgents.

It was learnt that part of the military men deployed to Damaturu by the beginning of 2012 came directly from a peacekeeping mission from Darfur, Sudan. Most have not met with their families for over a year. Part of this aggression was transferred to the innocent population of Damaturu. For instance, since that time anytime there is an outbreak of an attack by the *Boko Harm*, many people in the vicinity of the attack would be arrested and detained at Sector Alpha (Guantanamo). Even the *Boko Haram* members sometime deliberately set the civilians and the military at loggerheads. Abubakar Usman, a resident of Alhajiri (Interviewed, 2014), said that many times the group members would just shoot into the air to scare people and the JTF would reply by indiscriminate shooting on desperate people trying to escape from the shooting. Since the beginning of 2012, the JTF have led a reign of terror in Damaturu. They disobeyed all known laws from traffic to human rights.

On September 22, 2012 a 24-hour curfew was imposed on the towns of Damaturu and Potiskum in order to conduct a house to house search for *Boko Haram* members, IED components and weapons. During this period, a lot of atrocities were perpetrated in Damaturu and Potiskum. For instance, Idi Sule (Interviewed, 2014) witnessed the transportation of the suspects arrested in Potiskum. They were packed like 'sardines' (canned fish) and majority of them died before they reached Damaturu. No corpse was released to the family of the deceased suspects.

During the same period in Damaturu, of majority of those arrested, many of whom were deemed innocent died in JTF custody at 'Guantanamo' and presidential lodge. Similarly, many of those arrested since 2012 are still in JTF custody without any charges brought before them in a court of law.

On 16th June, 2013, the group members who were thought to have left Damaturu for good, returned around 7.00pm on that fateful day and violently attacked Government Secondary School, Damaturu. The attack broke a nine-month-long peaceful atmosphere enjoyed in Damaturu city. It resulted in the deaths of 11 people and caused injuries to nine others. At the end of the attacks, the JTF arrested some people on suspicion of their involvement in the attacks.

A victim of JTF arrest, who preferred anonymity (Interviewed, 2014) affirmed that he was arrested based on the suspicion of aiding and abetting the insurgents. He was in their custody at 'Guantanamo' for almost five months even when it was proven that he knew nothing about the insurgents' activities. Narrating his ordeal, he said he and other detainees survived on three spoons of rice a day and one sachet of 'pure-water' to ten people. He revealed further that deaths at the JTF detention, which were routine occurrences, were caused mostly by sorrow, starvation and suffocation. He said most of the sick individuals died because there was no medical care, and those with open wounds received no treatment for such. Instead, if it were the hard suspects, they inflicted more wounds on the same spot. He said most of them later resorted to recycling their urine in order to quench their thirst for water.

The above reasons account for why many people fled the town in late 2011 and throughout 2012. Because at that time the JTF despised reporting *Boko Haram* attacks without mentioning that they killed and arrested members of the insurgents. However, evidence abound that the security operatives usually remove their uniforms at the sound of *Boko Haram* gunshots. After they might have left, then whoever is passing by in that area would be arrested and tagged as the perpetrator of the attack. A mobile policeman (Interviewed, 2014), who did not even want his comment in print, however, confessed that the superiority of the *Boko Haram* weapons is one of the reasons the security personnel usually run and take cover whenever the insurgents begin their attacks.

Internally Displaced Persons (IDPs)

At the height of the crisis in 2012, people got fed up with the incessant attacks, the use of the improvised explosive devices, bombing incidences and the indiscriminate arrests and killings in Damaturu. Hence, majority began to migrate out of the town. One important incident that fuelled the spontaneous exit of the dwellers of Damaturu town was the rumor circulated that the *Boko Haram* insurgents planned to invade the town during the *Eid-Fitr* festival of August 2012. The entire township was deserted and people fled to other towns, villages and hamlets, depending on their capacities. Those without the means to travel just had to relocate to another ward, especially the governmental

housing estates, which remained most peaceful during the entire crisis. The most important places that accommodated the IDPs remained Kasaisa, Garin Itace, Katarko, Goniri, Gujba and Buni Yadi, etc. to the south. While to the west, people ran to Garin Bukar, Lawan-Kallam, Ngelzarma, Dogon Kuka, Damagum, Potiskum and other towns. On the northern axis, majority settled at Gonar Bukar, Kallalawa, Babangida, Dapchi, Gashua and Nguru among others. Towards the east, people regularly migrated to Ngamdu, a border town between Yobe and Borno states.

In line with these, some groups of people were interviewed on their experience in their places of sojourn, and these are their responses: The first five people were interviewed collectively on migration from Damaturu Township during *Boko Haram* insurgency. Four of them are married with children while one is single. Their responses are similar in respect of why they had to leave the town. The entire five people were being pursued by members of the insurgent. Attempts had been made on the lives of three of them while one got a warning and a friend to the last person was killed, implying that they might come back for him, too. Therefore, he had to flee the town.

Some others equally narrated their experiences in Damaturu and at their various destinations. For instance, Ibrahim (Interviewed, 2014) had to travel to a small village on the outskirts of Damaturu. He was lucky, according to him, because the time of his fleeing the town coincided with the period for weeding his farm at the village of Kasaisa. He, therefore, remained there for about three months until the situation was calm at Damaturu. The reason for his migration was based on the arrest by security agents of himself and his other two brothers. Upon interrogation, he and one of his brothers were released. However, the third person was held and could not be traced up till today.

Jamilu and Haruna (Interviewed, 2014) based their reasons for fleeing the town on the fact that their means of sustenance was cut by the ceaseless crisis and panic running through the town. They are petty traders and survive on items collected from distributors in the morning while they balanced up at the close of the market. On so many occasions, activities at the transaction hub of the town would force them to abandon their wares, which are usually stolen by unknown people. When they could not bear the continuous losses they have to move out of the town. They both migrated to Babangida in the Tarmuwa local government area of Yobe State. The town is situated at about 50 kilometers away from Damaturu. It has one health center, a borehole, a police station, schools (both primary and secondary) and other things of modern social infrastructure. However, prior to the migration of many people from Damaturu to the town most of these facilities were not functioning.

Haruna (Interviewed, 2014) who migrated with his wife and four children faced serious health challenges. The absence of medical assistance led to the death of one of his children. In fact, the ill-health of other family members, including his wife, compelled him to come back to Damaturu despite the security challenges.

Jamilu (Interviewed, 2014) survived the sojourn with serious health challenges. He and his family members fell ill several times before they summoned the courage to return back to Damaturu. He said that the cost of living at the remote town was very unbearable for him; one 20 litres container of water was sold at the rate of one hundred and fifty naira (N150), an upward review from its usual price of twenty naira (N20). The same thing goes with food items and so on. He said that most of them had no place of abode but had to make do with classrooms and other temporary places.

Usman (Interviewed, 2014) is an indigene of Gashua in the Bade local government area. Thus, he ran to Gashua for relief when the insurgent attack was unbearable in Damaturu. In spite of being an indigene of the area, he had to rent a room to accommodate his wife and children. He equally lamented the high cost of living in the town.

Abdullah (Interviewed, 2014) had to leave home unannounced when one of his close associates was assassinated by the insurgents. Learning that members of his peer group were targeted for killing, he fled even without sufficient means of transportation. He narrated how he had to trek for a long distance away from Damaturu before finding help from a motorist who took him to Ngelzarma, where he survived partially with thousands of other migrants from Damaturu. He described the population of the town during the crisis as comprising the artisans and other skill workers, especially mechanics, auto electricians, etc. Although the town boasted of some modern facilities, such as water, electricity, shop and provision stores, all these were overwhelmed by the internally displaced persons from Damaturu. Hence, a quick rise in the cost of living and the prices of all the daily required items were more than doubled.

At Ngelzarma Sirajo, a blacksmith (Interviewed, 2014) told of his experiences and why he and his co-sojourners had to return to Damaturu even when there was no total peace in the town. He said that most people that fled to Ngelzarma between December 2011 and 2012 suffered in the town because there was no accommodation even with your money to pay the rent. Most of them passed the night at market stalls. He spent the first six months of the crises there. He said that after sometime he discovered that they were really in danger because they were sleeping in the open space. Whenever you woke up at night you saw the group members patrolling the town with their guns and other deadly weapons. So as for him and so many others who were not properly accommodated in the town, they had no option but to hurriedly return back to Damaturu.

According to Bashir, a petty trader at the main market (Interviewed, 2014), thousands of people that fled Damaturu never received any support whatsoever. He said he fled to Ngelzarma and even interacted with others who stayed at different places, but nobody could confirm receiving any care from somewhere. They all fended for themselves and mostly survived under harsh conditions. When asked that NEMA had for several times distributed food

items to the victims of the insurgent attack, he said that he lived at the old settlement area and he was very close to the community. However, at the time a government agency brought some items none of his neighbors could show what was distributed. Moreover, at that time most of the people that migrated had returned back to their normal lives. He concluded that if they actually distributed any, the items must have been very paltry. Although there were the routine distributions of relief items around Damaturu, the individuals that fled during the crisis did not benefit from such items.

The Effects of the Insurgency Activities on the Socio-Economic Life of Damaturu

Since the outbreak of *Boko Haram* insurgent attacks on people and property in Yobe State and the subsequent intervention by the JTF to preserve peace and stability, the livelihoods of the residents of the state have been affected in many ways, mainly in the socio-economic aspect.

- (a) The non-indigenes in Yobe State who were dominant in the commercial and trading activities of the town were forced to flee the town: Some had to abandon their property. Though the researcher was unable to interact with any of the victims since they are no more around, evidences abound in the environment, in Damaturu, Potiskum and Gashua where gaps were created. In most cases, most of the important goods required in towns have to be booked in advance because they had to be sent in from Kano, Kaduna, Lagos or Onitsha. This is because the Ibo traders that mostly sell these commodities have relocated to their places of origin or more peaceful environments.
- (b) The banking sector was also affected. The perennial attacks experienced by the generality of dwellers in Yobe State, including staff of the banks, and the attacks on banking installations, including looting cash in the banks whenever there were attacks, were of negative effects. First, most of the bankers requested for transfer to other states that are more peaceful than Yobe State. Filling the vacuum created was not easy for majority of the banks. Secondly, the unceasing attacks and their effects on the banks have led to shorter banking hours in Yobe State. Hence, the banks now operate for four hours (9.00am to 1.00pm).
- (c) The operation of the JTF in Yobe State, since the commencement of operation has restored hope and made many businesses lose their premises to the JTF occupation. Up to this moment, more than 100 shops are still being occupied by the security operatives without any reimbursement to the property owners or business operators in the shops. In some areas, people had to flee the environment because of impending attacks on the JTF points.

- (d) As a result of the outbreak of *Boko Haram* attacks, business activities were seriously affected. Mallam Suleiman Inuwa, a businessman in Damaturu (Interviewed, 2014), attested to the setback witnessed by the community. This, he said was multifaceted. First, when the attacks of the insurgents became unbearable, majority of the dwellers of Damaturu fled. In fact the people that remained in the town had no alternative place to go. Hence, for the first 18 months of the insurgent attacks, sales generally dropped to the lowest ebb. Secondly, there were shortages of goods in the town due to some reasons. He said most of the traders and businessmen survived on credit facilities from the manufacturers and major distributors. Majority of these suppliers reduced or closed the credit lines because of the risks associated with looting shops in Damaturu during that period. He said also most of those who fled the town went without redeeming the debts they owed people. Also, the continuous crisis created the scarcity of vehicles to convey goods to the far north. The reasons for these rested on the absence of goods flowing to the south, as a result of the attacks on Maiduguri and Potiskum cattle markets. Hence most vehicles will have to return empty or waste many days before they get goods to convey. Thirdly, the security checking points became a big obstacle to the smooth movement of the trucks. Hence, many preferred other routes.
- (e) There are issues of the non-functioning of the banks in the local government of the state. Initially, apart from the Potiskum and Damaturu local government areas, most of the remaining LG headquarters have one bank. Usually, it is First bank, United Bank for Africa, or Union Bank, etc. Most of these banks in the local governments have been vandalized and looted by the *Boko Haram* insurgents and other miscreants, and those that were not attacked have been closed, based on the fear that they may be attacked at any time. Hence, at the end of the month majority of the civil servants trooped out to Damaturu and even up to Maiduguri and Azare in order to withdraw their salaries. So many workers at different times lose their pay to armed robbers who usually target the period to rob many road users. Muhammad Abdullah Umar, a worker from Geidam (Interviewed, 2014), revealed how he was robbed of his salary along with those of other colleagues who gave him their ATM and passwords to withdraw their salaries for them. Also, the end of the month means the loss of working hours, because workers would have to go out early in order to avoid queues at the point of withdrawal. There are times that people spend two to three days in attempting to withdraw money at the banks.
- (f) Even small scale businesses were affected by the insurgency. For instance, at Alhajiri, Gwange and Hausari wards, many women, especially divorcees, were beaten and asked to stop their job food

vendors. On the day of the attacks, the *Boko Haram* group destroyed their cooked and raw food, and warned them strictly to re-marry or risk losing their lives.

- (g) Apart from these, most people who hawked petty items experienced low patronage, and most of the small scale businesses were dying while their owners have turned to 'fine beggars'.
- (h) The social activities in the town have become moribund, as people returned home hours before the commencement of the curfew hours, which began at 10.00 pm. Majority have stopped going out of their homes after 7.00 pm for fear of being arrested for the violation of curfew. Night parties, clubbing and social gatherings are no longer tenable in Damaturu. Hence, people that survive on night business have been rendered redundant.

Summary of Major Findings

One of the major findings of the research is that the heartless, indiscriminate and inhumane killings by the insurgents are violation of the rights of the people in Yobe State.

At the onset of the JTF tasks, many rights of the people were similarly violated. These include the right to life, freedom of movement and expression. Socio-economic rights were equally violated through the occupation of business premises.

The conduct of JTF activities in the state violated the rights of the people, for instance, reckless driving and violation of road traffic rules and regulations (whether in official or private vehicles). At times, they shoot indiscriminately in the air, which usually forced the residents to abandon their daily routines.

The efforts of the government (state and federal) to check the excesses of both the JTF and the *Boko Haram* are very negligible. More importantly, the aid of the victim, in terms of relief materials and other assistance, are sometimes not forthcoming. For instance, during the time that people fled the town of Damaturu, there was no single government camp to accommodate the IDPs and cater for their immediate needs.

The generality of the population of the state are politically passive, as far as political and human rights activism are concerned. They seldom volunteer information that can assist the security agents as and when required. They equally feel reluctant to report cases of human rights abuse. Even this report suffered from the effects of their lackluster attitudes, for many identified victims of the insurgency bluntly refused to discuss the problems.

Conclusion

A major conclusion of this report is that the insurgents (*Boko Haram*) and the way and manner the JTF conducts their activities are responsible for the gross violation of human rights in Yobe State. While it is a known fact that the style of the insurgency/terrorists is to attack symbolic targets to achieve their goals and objectives. Thus, the general perception is that the JTF seems to have assisted the terrorists when the people of Yobe were being attacked from all sides between 2011 and 2013. The reluctance of the security apparatus to firmly deter the assault of the insurgency on many occasions is a contributory factor to the prolongation of the insurgency and its effects on the fundamental rights of the people.

Recommendations

There is an urgent need for the re-orientation of the people to understand their rights. The people should be sensitized to understand that they are the first line of security and should be conscious of it. A quick and accurate rendering of information on security breaches could save people from a lot of pains.

The actions of the governments must be guided by the constitution of the land, since we are in democratic governance. Peoples' rights must be respected by the government and its agencies. Government at all levels must readily attend to the victims of disaster whether natural or man-made. This is part of the reason government came into existence.

The reports of human rights groups should be critically examined. Whoever is guilty of acts violating human rights must be punished accordingly, irrespective of whether he or she is a civilian or military/paramilitary.

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CHAPTER THREE

The Ongoing Violations of Women's Rights in the Context of Insurgency in Borno State, Nigeria

Abubakar Yahaya

Introduction

This report presents the findings on women's rights violations in the context of the insurgency in Borno State in the North Eastern part of Nigeria. Many women were reported widowed, abducted, raped or abandoned as consequences of the insurgency being perpetrated by *Boko Haram* (which means Western Education is Sinful), an Islamic group, whose preferred name is *Jama'tu Ahlul Sunnah Lil Da'awati Wal Jihad*, meaning "People Committed to the Propagation of the Prophet's Teachings and Jihad." Their philosophy forbids the teaching of parts of western education and culture, which they claimed contradict Islamic teaching. The group became violent in July 2009 during and after the attacks by the Nigerian security forces in which hundreds of its members were killed and their leader, Mohammed Yusuf, was captured and subsequently executed by the police in a manner described as extra-judicial. Women who were forcefully made to accept the so-called faith and were in the group's custody got liberated and sent back home during the raid by the security forces in 2009. Indeed:

After 2009 crackdown, *Boko Haram* went underground for a year before surfacing with attacks on police, their stations and military barracks to avenge the killing of Mohammed Yusuf and other comrades. The group also carried out jailbreaks to free members and demanded prosecution of Yusuf's killers, release of detained colleagues, restoration of its destroyed mosque and compensation for members killed by troop (*Africa Report*, 2014).

By 2010, members of the group became more violent and started launching sporadic attacks on individuals: politicians, security personnel, ward heads, the Ulama, pastors, businessmen, etc. Several churches, schools and government offices became targets of attack, resulting sometimes in the deaths of victims. On July 16, 2011, the Police Force Headquarters in Abuja was bombed leaving many dead and wounded. Thereafter, the UN Building also in Abuja was bombed on August 26, 2011. The group claimed responsibility for all of the suicide bombings. Similarly, some churches in Jos, Kano, Bauchi, Kaduna and Suleja were also reported to have been bombed during the Easter and Christmas celebrations allegedly by the same group. These incidences made *Boko Haram* widely known for its acts of violence and started drawing the attention of the international community (Country Report on Human Rights Practices, 2012).

The terroristic activities of *Boko Haram* in the last five years have not stopped since 2009. Instead, its strategy and tactics have continued on a wider and more deadly scale across the country, particularly in the north east region of Nigeria, which recorded the death of thousands of people and loss of property worth millions of Naira (Zenn and Pearson, 2013). In recent times, *Boko Haram* (ibid) attacks have taken a new dimension with its members regularly raiding villages, setting fire on houses, killing men and abducting women, particularly in Borno State. The situation has greatly put women at a disadvantage, as they become targets and victims of *Boko Haram* attacks. This presents a situation with obvious violation of the human rights of women.

Thousands of women around the world are exposed to various forms of abuse, violating their rights to life, safety, dignity, physical and psychological wellbeing. This happens more often in countries with security challenges, such as Syria, Nigeria, Ukraine and Mali, among others, where internal conflicts continue to occur. The United Nations has made several attempts to end violence against women and children through a series of conventions, policies and instruments. In October, 2006, the UN Secretary-General, Ban Ki-moon, launched an in-depth study on violence against women on the basis of which the United Nations General Assembly (UNGA) in December 2006 adopted the resolution and, by 2008, a campaign calling for an intensification of efforts to eliminate all the forms of violence against women commenced. This led to a slogan: Unite to End Violence against Women (Human Rights Protection of Vulnerable Groups Report). In Resolution 63/155 on violence against women, the UNGA, *inter alia* called upon member states to:

End impunity for violence against women by investigating, prosecuting with due process and punishing all perpetrators, by ensuring that women have equal protection of the law and equal access to justice and by holding up to public scrutiny and eliminating those attitudes that foster, justify or tolerate all forms of violence against women and girls.

Despite all the efforts by international agencies, government and non-governmental organisations to fight for women's rights in every situation, the plight of women continues to deteriorate by the day. The conflicts in some countries obviously result in the violation of human rights, and the authorities appear to be unable and reluctant to address them in most cases. In Syria, for instance, violence against women has been reported to have dramatically increased, as women are constantly exposed to arbitrary detention, enforced disappearance, torture, sexual violence and abduction (Syrian Women Network, 2013). The Violation Documentation Centre (VDC) has documented 4,076 women and 1,944 girls who have been killed during the conflict as at 8th May, 2013. These crimes are more often perpetrated by security agencies and other parties involved.

The situation is similar in Nigeria since the emergence of the Boko Haram group that pledged to entrench Sharia Law in the country. It has been reported that about 4,000 people lost their lives in the insurgency and an estimated half a million people displaced. Hundreds of schools and government buildings were destroyed and thousand of houses belonging to people burnt (Africa Report, 2014). These crimes had pictured both the Boko Haram group and government security agencies as actors in perpetrating the crime, because even the security agents that were fighting the insurgents tend to be more violent during operations by killing innocent civilians and burning peoples' houses and shops. Okoli et al (cited Human Rights watch, 2012) observe that:

The *Boko Haram* insurgency has led to violation of human rights and commission of war crimes by both the insurgents and the government forces. The military and police, for instance, have committed human rights abuses and extra-judicial killings. A prominent case in point is the killing of the pioneer leader of the *Boko Haram* sect, Mohammed Yusuf, in 2009 by the Nigerian police...

The activities of this radical group began in 2002 and continued to be a threat to national security after their activities became more violent. The group initially originated in Borno and Yobe States and its activities targeted the North Eastern region, but today it appears to affect virtually the whole north, including Abuja, the federal capital.

The insurgency in Nigeria appears to be a clear act of terrorism, which makes Global Terrorists Index (GTI) rank Nigeria the 7th among the most terrorised countries in the world. In fact, "this ranking makes Nigeria the most terror stricken country in Africa alongside Somalia" (Okoli et al, 2014). The Boko Haram group shares common characteristics with other known terrorists groups in the world, which include arson, mass killing by gun-fire, suicide bombing, the use of improvised explosives, hostage-taking (kidnapping), media propaganda and advocacy, Jailbreak and Forced enlistment/recruitment of combatants (Okoli, et al, 2014).

Several human rights organizations have shown concern towards the outright human rights violations taking place in the affected areas in the north. These human rights abuses occur with impunity, as reported by national newspapers the electronic media, describing different forms of abuses, ranging from killing, kidnapping and many others, despite the presence of the security forces deployed to end the crisis (Tsegyu and Usman, 2013). What becomes more pathetic is the situation of women in this crisis. Reports have shown that women are being abducted during most attacks by the *Boko Haram* group and their rights violated with impunity. It is a fact that human rights are expected to be enjoyed by every human being.

According to Tsegyu and Usman (2013), human rights are inherent, universal, inalienable, and indivisible properties of mankind. Human rights can be described as those basic fundamental standards without which people cannot live in dignity as human beings. The following have been identified as fundamental human rights that women enjoy as well: the right to life, the right to the dignity of human beings, the right to personal liberty, the right to fair hearing, the right to compensation from property compulsorily acquired, the right to private and family life and the right to freedom of thought, conscience and religion.

The current violence in parts of the north in Nigeria has violated the above mentioned rights in respect to women as human beings. According to Daniel Bekele, the Africa Director at Human Rights Watch (HRW), quoted in *The Nation* news report of November 30, 2013: “For a group that claims to be religious, *Boko Haram*'s tactics are the most profane acts we can imagine. The killing and mutilation of ordinary Nigerians, the abduction and rape of women and girls, and the use of children for fighting are horrifying human rights violations”. It has been the situation long before the major incident that took place on April 14, 2014 in the Chibok Local Government Area of Borno State. Over 250 schoolgirls were abducted by the group at Government Girls Secondary School, Chibok. This incident, perhaps because of its magnitude, generated a lot of pressure on the government to take drastic measures to find the girls.

However, prior to this incident several others had taken place. For instance, the abduction of school girls in Konduga local government of Borno State in 2013 and the raid on the Police and Army Barracks in Bama with women and children taken away as hostages by *Boko Haram*. Unfortunately, these earlier incidences were under reported, which not many people were aware of.

Similarly, there were a series of attacks on the highway along Damaturu-Maiduguri. For instance, in the attack on Benisheikh, parents shared their plight when their daughters were kidnapped, though some were lucky to find their way home; but in most cases, the result of the long time in captivity is that they (the women) come back home pregnant or in possession of babies they gave birth to during their stay with the group. *The Nation* Newspaper of November 30, 2013 had reported that an eyewitness saw more than 20 women taken away by the insurgents during the Benisheikh attack of September 17, 2013. A health worker in Maiduguri told Human Rights Watch that he “attended to a 15-year-old girl who had recently returned home pregnant several months after *Boko Haram* abducted her.”

There are numerous tales of the violations of human rights, but the case of females (young girls and women) deserves to be examined and highlighted. Such an exercise, it is hoped, will contribute to the process of promoting and protecting the rights of women and aid in answering the following questions:

- i. Do women get affected as a result of the on-going insurgency in Borno State?

- ii. How does the insurgency in Borno State violate the rights of women?
- iii. What are the experiences of women in the affected areas in Borno State with intense insurgent activities?

In general, this research aims at evaluating women's rights and peace in Borno State with the view of making recommendations. The objectives are specifically to:

- i. Document the extent, pattern and identity of abducted women in Borno State
- ii. Provide information on women's rights violations in the context of the insurgency in Borno State
- iii. Profile women victims of the insurgency in Borno State
- iv. Make recommendations on how to protect the rights of women in Borno State.

It is hoped that this would lead to designing intervention with the rights of women in mind in addressing the insurgency.

The field data collection took place in Borno State where the activities of the insurgents are more prevalent. The population of the study constitutes all the female persons in Borno State, which stands at 1,990,036, according to the last census in 2006. The target groups were primarily women victims whose rights have been violated in the context of the insurgency, particularly those kidnapped during various attacks by the insurgents and others who suffered as a result of the insurgent attacks. Therefore, owing to the large population of women in Borno State, the research employed purposive sampling technique to select three locations based on the intensity of the insurgence and easy access to information. These include Maiduguri, Bama and Chibok and the sample size was limited to the only available respondents.

The research utilizes primary and secondary sources of data. The primary sources were based on qualitative methods. The instruments used were individual interviews and group discussions. The nature of the issue is more sensitive because it involves issues concerning women's plight; as such the interview would give respondents the opportunity to narrate their experiences and also reflects on their actions and thoughts. Among the abductees who escaped from the hands of the insurgents, five persons were interviewed and seven others participated in a small group discussion on the subject. Furthermore, twelve others among those displaced following the insurgent attack in Bama were also interviewed.

The data were analyzed from the individual responses and supplemented by the secondary data. In the analysis, the names of the victims were not reflected, in particular, the abductees, but others affected have been captured in the report, though their identities had all been shared with the principal researcher. However, the secondary data is based on desk research drawing on reports from national and international Non-Governmental Organizations (NGOs), scholars, including local newspapers and magazines

and international broadcast media to give a more in-depth view of the situation.

The critical challenge was gaining access to respondents which necessitated the different layers of contacts. First, the affected persons still live in fear, particularly the abductees and the Internally Displaced Persons (IDPs); second, their parents or guardians, especially of the young girls, are highly protective of their wards; third, is the official restriction of accessing the victims or those affected and are in the custody of government officials. To overcome this, prior unofficial contacts were made to gain access to the parents or guardians, but not all were successful. The other factor is that of confidence building in the subjects regarding the confidentiality of providing information.

However, the sensitivity to the effect of publicizing the identity of the respondents was overcome by pledging not to reveal their individual identities (abductees). Personal contacts resort to significant others to help in getting the relevant information, although from a few respondents, as there is no official data on the number of persons displaced, personal contacts based on trust yielded 17 respondents (Focus Group Discussion participants among the abductees not included). Five persons were the abducted *Chibok* school girls and 12 the displaced women from Bama Local Government. The five were interviewed in the presence of their parents or guardians and notes were taken and the 12 at IDPs's camp in Maiduguri, specifically Women Teachers College (WTC), Maiduguri. The sensitivity surrounding the subject of the research made it difficult to video record the interview sessions.

It is obvious that both the local and international media have given wide coverage to the insurgency in Nigeria. Nigerian newspapers have shown commitment to reporting the conflicts in the north alongside reports from international broadcast media organizations and news agencies, notably the BBC, VOA, Radio France International, Associate Press and Reuters. This perhaps explains the degree of damage this conflict is doing to humanity, and any information obtained through these sources becomes useful in documenting the insurgence, particularly in Borno State.

Women's rights violations gained more attention and publicity when the *Boko Haram* group changed tactics in their attack whereby women and girls become part of their targets. Recently it has been reported in the media that women and girls are being abducted by the sect over the last three years. According to Fatima Zanna Gana, the founder of Purple Heart Foundation, "it has been almost three years now, if you go down to Maiduguri right now, go to any street or a local set up like Gwange, for example, ask them how many of their children have been abducted? You'll be shocked" (*Daily Trust*, May 26, 2014: 3), at the number abducted by the insurgents.

According to Zenn and Pearson (2014), the year 2013 precisely marked a significant change in *Boko Haram's* tactics. The group carried out a series of kidnappings, including the abduction of women. The statement credited to the group's leader, Abubakar Shekau, in a video message, threatened to kidnap the wives of government officials in response to the government imprisoning the

wives of *Boko Haram* members (Associated Press, January 27, 2012).

The first kidnapping operation by *Boko Haram*, which was reported in *The Guardian* of 19th April, 2013, took place in February 2013 when a seven-member French family were abducted in Northern Cameroon and brought to Nigeria. Since then kidnapping has become part of the activities of *Boko Haram*, particularly in Borno State, the main base of the group. In May, 2013, the AFP report of May 13, 2013 shows that *Boko Haram* attacked a Police Barrack in Bama, Borno State and captured 12 women and children. The abduction was followed by a fierce battle with security operatives in which more than 100 persons were killed. On May 7th, Shekau claimed responsibility for the attack, and in another video released he threatened to make them his servants if the wives of the *Boko Haram* members were not released as part of the conditions for the release of the abducted women and the children (Zenn and Pearson, 2014). Shekau's threat to turn the kidnapped women into slaves is probably their way of treating abducted women. According to Fatima Zanna Gana, they use married women as nurses and cooks; they wash their clothes and serve as slaves in the group's camp (*Daily Trust*, May 26, 2014: 3).

However, there were reports that about 100 *Boko Haram* family members were detained by government security agencies for investigation. It is probably the reason that prompted the sect to threaten to start kidnapping the wives of government officials. According to the group's leader their wives were being humiliated and even raped in detention, "...in fact, they are even having sex with one of them. Allah, Allah, see us and what we are going through," (YouTube, September 30, 2012). He stressed their intention to capture the family members of the government officials, saying that, "since you are now holding our women (laughs) just wait and see what will happen to your own women to your own wives according to Sharia" (Zenn and Pearson, 2014).

It was during the mass arrest of the suspected members of *Boko Haram* by government security agents in 2012 that some women and children, who were arrested, were reported as family members of *Boko Haram*. Among them were the wives of the leader, Abubakar Shekau, the wife and children of the commander for Kano, Suleiman Muhammad; the pregnant wife of the Commander for Sokoto, Kabiru Sokoto, who later gave birth while in detention; and the wife of the suicide-bomber who attacked *ThisDay* newspaper house in Abuja in April 2012.

Boko Haram thereafter, strengthened their tactics of abduction through which many women in Borno State over the years have fallen victim, although some who had their chances managed to escape, but in most cases after enduring severe humiliation and abuses of their rights. In a news report by *The Nation* Newspaper of November 30, 2013, Human Rights Watch says in their interview with the commander of Civilian JTF (a vigilante group of youths revealed that:

They had rescued 26 abducted women and girls from a *Boko*

Haram stronghold in Maiduguri and later in Sambisa Forest. Some of the women and girls were pregnant; others had babies. The commanders told Human Rights Watch that a number of the girls had been abducted while hawking wares on the street or working on farms in remote villages. Many girls who were rescued or had escaped were sent off by their families to distant cities like Abuja and Lagos to avoid the stigma of rape or pregnancy outside of marriage.

However, some of these women were reported to have been kidnapped in their own homes during attacks by the sect; others while travelling in passengers' vehicles. It has been reported that several women and girls were abducted at places like Abbagaram, Budum, Kofa Biyu, Ruwan Zafi and Gwange in the Maiduguri Metropolis (*Daily Trust*, May, 2014: 3).

This abduction by *Boko Haram* has no discrimination on the basis of individual status in the society, as women of even prominent politicians are kidnapped. What perhaps makes the kidnapping of women in this class different from the others is the speculation that they regained freedom after their families paid a certain ransom to the abductors, and in most cases they remain silent after being released (*ibid*).

A wife of a politician and businessman from Damboa Local Government of Borno State was also reported to have been kidnapped, but released the next day. Also, was a 44-year-old divorcee who lives around Muna Garage Area in Maiduguri, and was held for 17 days and subjected to humiliating experiences, including rape by young boys that are almost of the same age as her children. "I was severally raped by boys that were not more than 18 years." She narrated amid sadness that it was prior to the rout of *Boko Haram* insurgents in Maiduguri in mid- 2013 that one day a Golf car with four persons inside came to her house, took her and her jewelries away. According to her:

They took me to an unknown destination which I later found out to be Bulabirin Ngarnam. The most painful part of the abduction is that throughout my stay in captivity, I was raped by boys that are as young as my first son who was 18 years old then. They (*Boko Haram*) learnt that I trade in gold. As such, while in their enclave, the boys would come over every morning, look at me with disdain and said I accumulate a lot of money but was not willing to give *sadaqa* (alms). They would then forcefully have sex with me.

This mode of kidnapping, which violates the fundamental rights of women, has taken place in various villages and towns in Borno State. Such places include Bama, Konduga and Marte. Unfortunately, even the media have

under-reported the matter, which makes only a few aware of the incidences of kidnapping in the mentioned areas. The exception of the abduction incident that attracted not only the local media but virtually all the international media is the recent mass abduction of school girls in Chibok Local Government, which has been officially reported that 276 girls were abducted by *Boko Haram* on April 14, 2014. Although initially the figure was controversial, government security agents later established this fact. This incident perhaps has received wider coverage by media than any incident over the years in Nigeria which every Nigerian Newspaper hardly fails to report on every development on the matter.

Reports indicate that 53 of the 276 girls came back home after they had managed to escape from their abductors shortly after their abduction. Recent reports indicate that four more girls were discovered to have also escaped which makes the number of the missing girls stand at 219 and those found at 57. The last four girls found were discovered during data capture and visits being paid to the families of the missing school children by Borno State officials (*Weekly Trust*, May 31, 2014: 6).

Human Rights activists and monitors, including other international agencies and organizations, mount pressure on the Nigerian Government to take any necessary measures that would lead to the release or discovery of the missing school girls. Media have widely reported the assistance offered by the United States, China and France in seeing that the school girls were found and return home. According to the Head of the African Union, Mohammed Oul Abdel Aziz, who is also the President of Mauritania, “the situation in Mali, in Nigeria, in the Central African Republic, in Somalia, Southern Sudan and in Libya challenges us and deserves all of our attention” (ibid).

In another statement, a Human Rights lawyer, Festus Kayode, called on the Nigerian government to negotiate with the *Boko Haram*, for it is the only option to save the Chibok abducted girls. So many activities in Nigeria were reported to have been cancelled in sympathy of the situation of the missing girls.

The devastating situation has put many parents, especially of the abducted girls, into depression and agony. It has recently been reported that two women among the parents of the missing girls in Chibok had become mentally-ill, while hundreds of others were in distress, frequently visiting hospital to seek for medical attention for a yet to be diagnosed illness. Mr. Muntai Hona whose two daughters were also kidnapped died recently when he could not identify his children in a video released by the insurgents. A relation narrated that the parent took ill thereafter and developed complications, which he never recovered from (*Weekly Trust*, May 31, 2014: 6).

Chibok town was described to be a sad picture, with many places destroyed, including houses, shops and the boarding school where the girls were abducted. Residents were seen in anxiety, waiting to see the return of their daughters but up to the time this report was compiled; nothing was heard about their whereabouts (ibid).

Data Presentation and Analysis

The data collected for this study is presented and analyzed below.

Interview Sessions with Abducted Chibok School Girls

The difficulties encountered in having access to the women and girls kidnapped by the Boko Haram over the years in Borno State have limited the findings of this research to the available victims that granted face-to-face interviews. The victims were predominantly teenagers abducted by Boko Haram on April 14, 2013 at Government Girls Secondary School, Chibok, but fortunately escaped from the hands of their abductors. The fundamental rights of these girls were obviously violated in various respects. Although these girls testified that their abductors did not kill, rape or torture any of the abductees at the time, which contradicts experiences of other victims as reported in the media, the fact still remains that their rights to freedom of movement, religion, association and dignity were grossly violated.

The 1999 Constitution of the Federal Republic of Nigeria, Section 34(1) clearly spells out that: every individual is entitled to respect for the dignity of his person, and, accordingly, it specifies that no person shall be subjected to torture or to inhuman or degrading treatment; no person shall be held in slavery or servitude; and no person shall be required to perform forced or compulsory labour.

Similarly, Article 5, of the African Charter on Human and Peoples' Rights also stipulates that every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited. However, even with the provisions of the law and other instruments that protect human rights, women still suffer inhuman treatment in the hands of the Boko Haram insurgents in Borno State with absolute impunity. The interviews with some of the victims are documented below:

Case 1 was a 17 year old girl who was captured during the attack by Boko Haram at the GGSS, Chibok. According to her, their abductors came into the school compound and after asking them several questions went ahead to cart away some food-stuff and teachers' belongings. They threatened the girls but did not actually harm anyone.

She narrates that the students were assembled in the school compound and the insurgents explained to them that they did not have the power to do anything to them without the express permission from their superiors (Boko Haram leaders). The girls were informed that they would be taken to be taught how to read the Qur'an and learn Islamic doctrines. She added that she escaped because of the uncertainty of her situation if she had remained with her abductors. She was unsure if they would be killed or spared. She said "escaping is better than being in the captivity of the group". To her, if she died in the

process of running away; she believed her corpse would somehow be discovered. This, she said, informed her decision to escape.

Surprisingly, they were not starved of their basic necessities of food or water, because, according to her, while in captivity, they were well fed. In fact, some of the abductees were handpicked to cook for them. Miss Lawan observed that members of the *Boko Haram* who abducted them appeared dreadful and unkempt and this gave her the feeling that they were dangerous and could harm their victims.

Case 2, a 17-year-old fell victim of the well-publicized Chibok abduction and was taken to the dreaded Sambisa Forest, but escaped a day afterward. According to her, she escaped at night with another student, who was unavailable for the interview. The two managed to run away from the camp at Sambisa and passed the night at a Fulani hamlet where they were helped back to a village called Klegesa. She said most of them that escaped along the way before reaching the *Boko Haram* camp in Sambisa lost their way. The girls, in their haste to locate Chibok town instead, later discovered that they were somewhere around Maiduguri or somewhere different. Case 2 gave a response similar to Case 1 about their upkeep. She said they were well fed. She, however, said they did not get to meet any of the *Boko Haram* leaders who were to decide their fate. She said they were accommodated in an open space and were told that until the *Boko Haram* leaders agreed to move them in, they would pass the night outside. Miss Simon said she escaped by pretending to go a bit further away to ease herself along with the other girl.

Case 3, a 19-year-old was another female victim who escaped before they arrived at the *Sambisa* Forest. She said she had to jump out of the moving truck when she thought of the uncertainty that awaited them in the hands of the insurgents. According to her, she is the last child in her family and she kept thinking of her old parents' welfare and this gave her the courage to take the risk and jump off the truck. She urged some of the abductees in the same truck to also jump off, but they refused out of fear.

Case 4 is an 18-year-old girl. She narrates that since their abduction, she had become terrified by the fear of the unknown. She is now constantly nervous and restless despite her return home. She gets easily scared of any sound, and usually associates such sounds with gun-shots. Hadiza notes that the security personnel around the school were only visible during the day, but were hardly seen at night because they were not allowed into the school compound after dark. According to her, when the incident happened the military were not on guard. She added that she was asleep when the sect members came to attack them. She was awakened by gunshot sounds and all of them were assembled. The group members asked about a block-making machine in the school. The girls said they had no idea about such machinery in the school. The group

members then asked to be shown the dining hall, where all the foodstuffs were carted away.

Case 4 said they were marched out of the school and walked for about 2 kilometers before a truck was brought to take them away. She escaped from the truck in the dark and traced her way back with the assistance from cockcrows. Case 4 said the girls cried profusely while in the truck and when asked if she still wanted to continue with her education, she said she was still determined to finish school if life returned to normal because she hoped to become a teacher someday.

Case 5 is an 18-year-old who seized the opportunity to escape from the insurgents while they were engaged in a heated argument. When she was asked about how she felt, Case 5 said she always prays for God to make her abductors desist from their evil ways. She also prays for her fellow classmates to be released from their captors. According to her, she escaped together with another student and luckily found help with some nomadic Fulani men who helped them and took them to a village called Mbalele. They were then handed over to some villagers who ensured their safety and walked with them for a long distance before directing them to another Fulani settlement where they were assured of their safety. They got to the safe haven around 10:00pm since their escape around mid-day. The next morning they left and arrived at Benmeri village, near Chibok around 8:00am. Thereafter, they waited for someone who conveyed them to Chibok town. She added that sometimes she thought of the condition of her classmates, especially when it was raining because they were kept in an open space.

Case 5 said she did not sustain any injury while in captivity or during the escape, except some pains, probably from the long walk, which was already taken care of by the administration of analgesic drugs. She insisted that she didn't need to visit any hospital for medical treatment.

Focus Group Discussion with Abducted *Chibok* School Girls

The Focus Group Discussion (FGD) reveals that the victims of the Chibok abduction were no longer interested in attending boarding school. They maintained that they would prefer a day school instead and that most of their parents are now scared of having them out of their sight. They have resolved to spend a year at home before going back to write any school examination but insisted that the school had to be situated elsewhere and not in Chibok.

They also unanimously revealed that they were 'scared-to-death' when the school was attacked because of the repeated ear-shattering gunshot sounds, since most of them were already asleep at the time. They described how their captors rode on motorcycles to corroborate initial revelations of how they were kidnapped, assembled and abducted.

They also confirmed that, the military deployed to their school were always on guard during the day, but usually retired to their quarters at night. On that fateful day, the soldiers were not seen. When asked about the whereabouts of their matrons, they explained that they stayed in quarters and not in the dormitory, which is a tradition in most Nigerian boarding schools.

They reiterated that between the time of their abduction and their escape, they were not harmed nor threatened, except when they were assembled and informed by the insurgents that they were awaiting instructions from their superiors who would decide their fate. According to them, they were initially camped into three groups and guarded by three *Boko Haram* militants in for each group. They stated further that members of *Boko Haram* possessed sophisticated weapons, which were identifiable from the gunshot sounds each time they were fired.

Those who escaped before arriving at the Sambisa Forest said they were not informed about their conversion to Islam, but others who were taken to the Sambisa Forest certainly mentioned it. The pattern of this abduction obviously appeared to be different from previous kidnappings by the insurgents, where the victims mostly reported that they were raped and enslaved by their captors and used as cooks, nurses and most often launderers of their clothing.

Interview Sessions with Displaced Women from Bama Local Government of Borno State

On the 1st September, 2014, insurgents attacked Bama Local Government and succeeded in capturing the main town before the military recaptured it after some weeks. This attack claimed the lives of many people and many others were displaced. Women and children who fortunately escaped were reported to have trekked from Bama to Maiduguri, a distance of about 76 kilometers. A lot of women lost their husbands and children in the attack. A visit to the official camp at Women Teachers College Maiduguri revealed how hundreds of women were kept stranded with little support, perhaps because the number of the displaced was large. Even government could do what is only possible to assist. Women who granted interview on their plight narrated their ordeals as follows:

Amina Umar, a 19-year old widow who lives at Angwan Yashi in Bama said when the insurgents attacked the town; they had to flee their homes and run into the bush to seek refuge out of fear of the consequences. She added that she lost her husband in a similar attack sometimes ago when the insurgents came from a village called Kawuri. It was a week after her wedding. Similarly, Amina Bello Musa, a 17-year old and Yakura Habu, 18, who live at Gwange Ward in Bama also explained their plight and how they suffered before arriving at Maiduguri during the attack.

Fatima Mustapha, a 23-year widow and a mother of two who lives at General Hospital Staff Quarters, explained how she had to trek from Bama to Maiduguri with her two children. She said currently she barely fend for the

the family. At the time of the interview, which was 11:30am, Fatima disclosed that they could not take breakfast. Responding to how she catered for herself and the children being a single parent, Fatima explained that she made local caps, which is a popular occupation in Bama local government, and with this she provided food for her family.

Her sister, Falmata Musa, is a 25-year old mother of four children, who hails from Yobe Ward, also narrated how they were starving as a result of their situation, saying her children did not eat anything since yesterday and were starving. The two sisters confirmed the killing of a woman by the insurgents. According to them, the insurgents accused the woman of helping youths with a native charm for protection from attack, particularly the Civilian JTF. So when the insurgents came, they slaughtered her. Yabawa of Bula-Bultiye Ward, a 20-year old mother, explained a similar experience of the little support they got to take care of their children.

However, Inna Gana, a 20-year old widow said they suffered a lot while trekking through the bush to find their way out of the town, and whenever they met the *Boko Haram* insurgents, they would tell them “You, the wives of the non-believers go and perish on your way.”

Also, according to a woman, Hajja Fanne Bukar, a 45 year old mother whose two sons got missing during the attack but were later found, said when they were attacked; they started hearing bomb blast. Then most of them ran to a military barrack to seek refuge. When they were at the barrack, a bomb suddenly exploded and the place got dark. They all started searching for an exit, but could not find one. As such, they had to forcefully push down a wall to make an exit. They walked through streams and passed through some villages to reach Maiduguri. When asked about the whereabouts of her husband, she said he was captured and tied down by the *Boko Haram* during the attack. The insurgents, however, abandoned him when they thought he was dead. According to her he was receiving treatment at the hospital.

In an interview also with an elderly woman who was in her late 50s, Mama Fati Ali, she narrated that they were attacked at dawn, so they all started running for their lives. She took her two grandchildren with her and had to beg all their way to get food to eat and water to drink. According to her, she did not see her husband until after 15 days when she was brought to the camp by her son-in-law. Her husband also ran for his life during the attack, but upon reaching Maiduguri they (men) were taken to the official camp designated for men.

Yana Kundili, a 33-year old mother of seven and pregnant, said her husband left Bama sometimes ago when the insurgent activity was getting worst. He is now doing his business as a meat butcher at Tashan Bama in Maiduguri. Narrating her experience, Yana said they were exhausted after trekking a long distance from Bama, which caused her feet to swell. She also confirmed the killing of hundreds of men by the insurgents and how they were deceived by the *Boko Haram* to bring out their husbands from their hideout for

negotiations. The *Boko Haram* insurgents, as part of their tricks, forcefully assembled the women and were telling their fellows to stop the killing; that their Amirs (leaders) had ordered them to stop killing and seek for negotiation. Many women, according to her, ignorantly persuaded their husbands to reveal themselves. Many were later killed by the insurgents and thrown into a stream. Seeing what happened, the women who were left behind in the town also found their way out and had to pass through a stream, which Yana confirmed how her daughter almost drowned.

Summary of the Major Findings

Based on this research, it has been found that women have been affected greatly by the insurgent activities going on in the North, particularly in Borno State, where women have been kidnapped, humiliated, displaced and left stranded to cater for their needs. Over 260 school girls were kidnapped in Chibok Local Government out of which only 53 escaped from their abductors at the time this report was compiled. This study revealed that the escapees were not killed, but threatened and humiliated during their stay in the hands of the insurgents.

The abduction of these school girls obviously violates their rights to freedom because they were in captivity and not allowed to move anywhere. However, it is also found to be a violation of their right to association. They were denied access to their parents, relatives, teachers and friends. The state in which the school girls narrated to have found themselves while escaping is a humiliation and a gross disrespect to their right to dignity.

This study has also found that the rights of those women from Bama, including other parts of the state, whose towns were attacked by *Boko Haram* and caused them to flee in search of refuge, have been violated. Their husbands were killed; some of the women were taken away by the insurgents. They were denied their rights to freedom, association, religion, and dignity. They were forced out of their homes with their children to look for another place to live. All the 17 respondents confirmed that their fundamental rights as human beings and citizens were grossly violated.

Most of the respondents lamented on their plight of raising their children when the insurgents killed, kidnapped or displaced their husbands during most attacks. The women responded that they were finding it difficult to cater for the needs of their families in this situation, as most of them are now widows and playing the role of a single parent. Government support, especially to the internally displaced women, was not sufficient for their upkeep. Their children of school age do not have the opportunity to go to school. The findings of this study have clearly shown how the fundamental rights of women are being violated in the context of the insurgency in Borno state based on the responses of victims and others affected directly or indirectly.

Conclusions

Borno State has the highest prevalence of insurgency and the attendant gross violation of women's rights due to the insurgency perpetrated by the *Boko Haram* group. In several attacks, the insurgents abducted, raped, humiliated and threatened the lives of innocent women and girls. The initial kidnap victims of the *Boko Haram* were residences in the villages of Konduga, Bama, Marte, the Maiduguri Metropolis and sometimes passengers in private and commercial vehicles on the highways across the state. The most prominent kidnapping occurred at GGSS Chibok, Borno State where 276 school girls were abducted and only 57 escaped at the time this report was compiled.

The victims interviewed consented to give information about their experiences, which helped in documenting the pattern and extent of the abduction and violations of rights. The manner and pattern of the much-publicized Chibok kidnapping contradict other previous ones based on the narrations of the victims. Narrations from the escapee Chibok school girls and investigations revealed none of the Chibok abductees were killed, raped or tortured, though some admitted they were threatened by the insurgents while in captivity. However, women who were displaced from Bama by the *Boko Haram* also narrated their ordeal, which helped in documenting the different forms of human rights violations

However, several other women have been affected as a result of the insurgency in the state. These women were either directly or indirectly affected. Their rights to freedom, association, religion, movement and dignity were abused with impunity. This study concluded that the rights of these women were violated most of the time by the *Boko Haram* insurgents.

Recommendations

The following recommendations are proposed:

- i. Appropriate measures should be taken to ensure the protection of the human rights of women in Nigeria, particularly with the incessant acts of insurgency. Human Rights groups should not relent in their efforts to campaign for the promotion of human rights and as well expose any vices perpetrated against women.
- ii. Existing laws and instruments for the protection of human rights should be reviewed, domesticated and implemented to strengthen women's confidence regarding their fundamental rights. This could be possibly achieved if they would have access to justice.
- iii. Women and girls should be encouraged to report any violations of their fundamental rights, so that the perpetrators could be arrested and prosecuted accordingly.
- iv. Adequate counseling should regularly be offered to victims to help them to overcome stigma, and the members of the public should be

- appropriately oriented to desist from stigmatizing victims.
- v. Insurgency must be ended to halt the violations of women's rights within the context of conflict or insurgency.
 - vi. Further investigations should be undertaken to expose other human rights abuses yet undiscovered.

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CHAPTER FOUR

The *Boko Haram* Insurgency and Education: A Study of the Future Prowess Islamic Foundation School in Maiduguri

Kyari Mohammed

Introduction

Nigeria's dysfunctional system has tragically failed many of its people, particularly in the north. Key human indicators, such as education, health and the judiciary, as well as the security agencies, are poorly funded or underperforming (ICG, 2014: 4).

The *Boko Haram* insurgency and government security response since July 2009 have resulted in massive the loss of lives, limbs and livelihoods, the wholesale displacement of communities, large and increasing number of Internally Displaced Persons (IDPs) and refugees and the social and economic paralysis of a whole region. Indications are that the area may experience famine due to inability to till the land for upwards of three years in a predominantly peasant economy of that region of Nigeria. This crisis has been compared to the civil war (1967-70), though its resolution appears more complicated. Borno, Yobe and lately Adamawa, the worst affected northeastern states where insurgents hold some territory, have borne the brunt of the conflict more than any other part of the country. *Boko Haram* and groups claiming to be it have claimed responsibility for numerous bomb attacks, Improvised Explosive Devices (IEDs), targeted assassinations, school, church and mosque bombings, kidnappings, suicide bombings and many other crimes. The response of Nigerian security agencies has been equally brutal, leading to the deaths of numerous innocent, defenseless residents of the conflict zone. Furthermore, the affected states have been under a recurring state of emergency since 2011. Since mid-2013, the militia under the name of the Civilian Joint Task Force (CJTF) have emerged and got involved in the fight against *Boko Haram*. However, like the military, the CJTF have themselves been accused of massive human rights abuses including extra-judicial killings under the watch of the military. The CJTF have succeeded in forcing the *Boko Haram* out of the townships, but insecurity in the rural areas as well as the highways has increased exponentially.

The state of emergency, the imposition of curfew at nights, the intermittent shutting down of telecommunications as well as the closure of the Maiduguri airport have completely locked these areas from the rest of the world, with deleterious consequences for the fight against insurgency. Though telecommunication services have been restored following the December 2, 2013 attack on an Air Force Base in Maiduguri, commercial flights to Maiduguri Airport, the only airport serving Borno and Yobe States, have not

been restored. Life is not normal either due to the *Boko Haram* insurgency or the counter-insurgency strategy adopted by the military, or both. Schools and educational institutions have been targeted and specifically singled out for assault, first, for their symbolism as harbingers of western education and ideas and as in retaliation for security forces attack on Islamic schools.

The Narrative

Boko Haram evolved and operated in northeastern Nigeria, but came to prominence only in 2009 as a result of the violent confrontation with the state in Maiduguri. It was a fringe group under the leadership of Muhammad Yusuf, a fiery scholar resident in Maiduguri, who had not fully committed to violence before 2009. The group went into open confrontation with the Nigerian state, and was violently suppressed in July 2009. Thereafter, it went underground, rebuilt and resurfaced in October 2010, with a remarkable prison break at Bauchi. The movement became increasingly violent.

In its early years, the message of *Boko Haram* was characterized by the fiery speeches of its leader, Muhammad Yusuf. This period was characterized by proselytization (*da'awa*) that included verbal assaults on secular authority, both the traditional and the modern. As from 2010, the *Boko Haram* became committed to asymmetrical warfare. The group has tried to key into global Salafist movements such as al-Qaeda. Though heavily influenced by the message of *al-Qaeda* and external developments, *Boko Haram's* grievances have remained local at inception. However, there were attempts to link local grievances to international developments in Mali and beyond.

As the military crackdown intensified, they became desperate and more violent, thereby resorting to more desperate measures, which they had despised in the past such as burning school buildings, telecommunications base stations and killing and kidnapping foreigners, slaughtering instead (of gunning down) opponents, killing health officials on routine vaccination as well as random shooting at schools and killing pupils and teachers, leading to the prolonged closure of schools.

As in most conflicts of this nature, the victims include women and children, who when not directly killed become widows and orphans. There are many such women and children victims of this conflict in and around Maiduguri. However, very little is known about their plight. This study aims at closely studying and documenting the plight of the child survivors and orphans of this conflict. We have selected one school where a number of these children are studying, the Future Prowess International Foundation School in Maiduguri, as an institutional case study.

The methodology used here is qualitative, using a specific case study of the Future Prowess International School in Maiduguri, Borno State to produce what Geertz (1973) calls “thick descriptions” of the sufferings, travails and coping mechanisms of the children of different socio-economic backgrounds rendered orphans by the fighting in and around Maiduguri. The Future Prowess

school is the site because we do know from previous fieldwork of the existence of numerous orphans studying there due to the generosity of its proprietor. Besides, the school has given us unfettered access to any number of consenting pupil-orphans. The study involved primary and secondary data collection and analysis. In addition to desktop reviews, individual in-depth interviews, key informant interviews and Focus Group Discussions are the methods used for data collection.

Ethical issues: ethical issues were of paramount importance in this study, as it involves the lives, emotions and sensibilities of a young and vulnerable part of the population. Informed consent, confidentiality and anonymity are salient because of the concern with a category of people (orphans). Efforts have been made not to expose participants to any harm arising from exposure to the study. An appropriate level of anonymity will be established to protect the identities of the participants to the study. I sought the informed consent of the participants as well as that of the school management, to ensure that their participation was entirely voluntary. The confidentiality of information and anonymity of the respondents will be guaranteed except where they were waived by respondents after carefully explaining to them the import of the study.

Boko Haram and School Attacks

Boko Haram touts itself unashamedly and unequivocally as being anti-western education and modernity. This in part explains its ideology. This has resulted in several attacks on schools, school pupils and their teachers. Even though schools have been attacked since 2009, the lethality and frequency of such attacks increased as from 2012. We have argued elsewhere that *Boko Haram* violence increased proportional to the violence of the security agencies (Mohammed, 2014: 23-28; de Montclos, 2014).

Attacking schools has been a regular feature of *Boko Haram* since its inception, even though the frequency and lethality of school attacks has increased since 2012; and the brutality on school children seems to be on the increase. For an organization that prides itself in its opposition to western education schools it represents an ideological anathema, as well a symbol of authority. Schools are soft targets even though police and military barracks have been attacked, too. The destruction of schools has seriously undermined the right to education in a region with an acute shortage of schools and high levels of illiteracy even by Nigerian standards. The widespread of insecurity has compelled many people to withdraw their wards from schools. Several schools have been attacked and burnt.

Education was singled out for violent attacks, as mentioned earlier. In Borno State, many students have stopped attending classes for fear of *Boko Haram*. On March 18, 2013, the group attacked four schools in Maiduguri, the state capital, killing four teachers and seriously injuring four students.

The schools worst affected by the violent attacks are those located in the old Maiduguri City and those in Marte, Kala-Balge, Gamboru Ngala and Mobbar in northern Borno. An estimated 15,000 children have stopped attending schools and 50 out of 175 schools have been burnt down (Borno State Ministry of Education, 2013). Currently, schools such as Government Secondary School, Monguno, Girl Government Secondary School, Damboa; Government Girls Secondary School, Ngoshe; Government Day Secondary School, Chibok; Government Secondary School, Izge; Government Girls Secondary School, Gwoza; Government Secondary School, Gajiganna, Girl Government Secondary School, Auno, etc. have closed down for fear of *Boko Haram*. In Yobe State, the educational system has equally suffered greatly from the activities of the group. On February 25, 2014, the Federal Government College in Buni Yadi was invaded and 43 students and staff were killed and 16 female students abducted. An earlier attack at the College of Agriculture Gujba in 2013 led to the deaths of 40 students. Similarly, Government Secondary School, Mamudo had earlier been attacked on July 6, 2013, where 42 students and some teachers were killed. The Yobe State government puts the cost of the classrooms burnt at N2.5bn. The Nigerian Union of Teachers (NUT) in Yobe revealed that *Boko Haram* had killed 171 teachers since the insurgency started in 2009.

According to Governor Kashim Shettima of Borno State, at least 800 classrooms have been burnt and 179 teachers killed. The number of pupils killed in or out of schools is unknown. The Amnesty International (2012: 17) reports that: “Dozens of schools have been attacked and set on fire in Maiduguri, leaving thousands of children unable to continue their education”. The killing of school children at school in Gujba, Mamudo, Buni Yadi, Konduga and lately the Chibok abductions expose the vulnerability of schools and the inability of the Nigerian state to protect its citizens. The Chibok abduction is a new low and will certainly affect school enrolment in the affected areas.

The massive displacement of peoples, as a result of the escalation of violence and the sacking of some towns, such as Ngala, Gwoza and Damboa, which areas are effectively under *Boko Haram* control, has led to a large number of Internally Displaced Persons (IDPs), whose children have no access to schools. According to Amnesty International (2012: 17):

The attacks on schools constitute a criminal offence under Nigerian law. Deliberately damaging school buildings and thereby leaving schools unable to function or children too afraid to attend school constitutes a serious abuse of human rights, including the right to education. The government of Nigeria is obliged under international human rights law to ensure the right of everyone to education.

This is in a region where even by Nigerian standards education indices are low. This attack on schools leads to not only the destruction of classroom buildings, but also involves the loss of school records, instructional materials and man hours, and leads to trauma in teachers, pupils and parents. Even where schools have not been directly targeted, the fear of attacks has led many to withdraw their children from school. Those who remain in school out of defiance are traumatized. In Borno and Yobe States, schools have been closed for upwards of one school year at a stretch, especially following the abduction of schoolgirls at Chibok in April 2014.

The Future Prowess Islamic Foundation School

Established in 2007 with 36 pupils at inception, the Future Prowess Islamic Foundation School was set up to provide education to those who cannot afford it. The school is a registered charity solely financed by Zanna Mustapha; a Maiduguri-based legal practitioner and politician. The school, according to its proprietor, “aims to positively impact on every aspect of the lives of Orphans and Vulnerable Children (OVC) and widows, through qualitative education that unleashes leadership capabilities of children”.

Even though the school predated the *Boko Haram* insurgency, the large number of those orphaned and widowed by the crisis in Maiduguri has increased demand for enrolment. As it is a tuition-free school where books, uniforms and breakfast are served free of charge, demand has clearly outstripped supply. According to Sulaiman Aliyu, the Principal of the school, “of the 420 pupils, we have 205 whose fathers were killed in the insurgency”. The communities recommend potential pupils, and currently there are ninety children on the waiting list.

As a school for orphans, the school has provided psychosocial support. The testimonies of some of these orphans are very graphic. One child had this to say: “Two men broke into our house in the middle of the night and pulled my father from his mosquito net, slit his throat and used water from our kettle to clean their knife. My mother covered the body and we prayed for him”. The Future Prowess School is “truly a place for refuge for children and their families in crisis”. There is the need for many more of such schools in order to overcome the insurgency and begin the process of peace building and recovery.

Conclusion

The *Boko Haram* insurgents, by singling out educational institutions for concentrated attacks, have killed and maimed several students and teachers, destroyed school buildings and led to the prolonged closure of schools. This had the effect of traumatizing teachers and students while retarding school enrolment and attendance in an area already poor in education service delivery. Schools were targeted for their vulnerability, as they are often not protected, as symbol of western education and authority, which the insurgents fight, and sometimes in revenge for security attacks on *tsangaya* schools.

Using an in situ study of one charity not for profit school in Maiduguri, the study concludes that the current insurgency and its management by security forces have produced a large pool of orphans and widows in dire need for education and psycho-social support which the Future Prowess school provides, albeit inadequately. This school for the weak clearly shows that a wide gap exists between the supply and demand sides for schools, which the government has not been able to meet in the short term. Any post-conflict peace building and reconstruction programme must factor in the provision of educational infrastructure and services for that peace to be sustainable.

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CHAPTER FIVE

The State of Human Rights since the January 20, 2012 *Boko Haram* Bombings in Kano State

Nura Iro Maaji

Introduction

The need to protect and advance the dignity of the human family was what provides the foundational basis for the establishment of the United Nations Organization, and the subsequent promulgation and adoption of the Universal Declaration of Human Rights (UDHR) (Abiodun 2012:33). This means that, since the early period after the 2nd World War, and resulting from the proclamation of the UDHR, human rights issues have continued to dominate national and international discourse, leading to the birth of several international human rights treaties, especially pertaining to the socio-economic rights, the right to life, and freedom of association and movement. Such treaties include; the International Convention on Civil and Political Rights (ICCPR), the International Convention on the Elimination of all forms of Racial Discrimination (CERD) and the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW), as well as the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or punishment (CAT), among others. In fact, as Jacob (2012) observes, it is the emergence of such international human rights treaties that led to the increasing globalization of human rights advocacy purposely to promote and protect the dignity of the human family. These treaties have, in their respective opening statements, reaffirmed their recognition to the inherent dignity and of the equal and inalienable rights of all the members of the human family as the foundation for freedom, justice and peace in the world.

Moreover, arising from the above and in commitment to their obligation of protecting the advancement of human rights issues, nation-states have, in their national constitutions, embodied human rights either in the preamble or substantive provisions. Of particular importance, is the country under review, Nigeria, where the current 1999 constitution, as amended, dedicated two separate chapters (2 and 4) on human rights especially pertaining to civil and political rights and economic, social and cultural rights.³ Whether such rights are being protected and advanced in view of the current *Boko Haram* insurgent violence, on one hand, and government counter insurgency measures on the other, in the northern part of Nigeria, knowing its extent, requires critical analyses, Hence, the rationale behind this study with a view to document those violations, if any, so as to generate evidence for advocacy purposes.

³ Constitution of the Federal of Nigeria, 1999 as amended.

Being one of the countries that ratifies several international human rights treaties, and in recognition of its constitutional provisions, Nigeria has a national and international legal obligation to respect, protect and promote human rights for everyone within its jurisdiction, without discrimination on the basis of gender, ethnicity, social origin, political opinion or other prohibited grounds. Such rights include the right to life, the right to freedom of association and movement, socio-economic rights and the right not to be subjected to torture or to other cruel, in- human or degrading treatment or punishment, among others. In affirmation of the above assertion, Articles 1 to 30 of the Universal Declaration of Human Rights (UDHR), which Nigeria is a signatory to, provided that countries shall strive by teaching and education to promote respect for those rights and by progressive measures, national or international, to secure their universal and effective recognition and observance, both among the people of member states themselves and among the peoples of territories under their jurisdiction.⁵ In another development, chapter two (2) of the constitution of Federal Republic of Nigeria 1999, as amended, explicitly provided that the security and welfare of the people shall be the primary purpose of government (Chapter 2, Section 14 subsection 2 (b)). This means that the most basic responsibility of the Nigerian state is that of safeguarding the security of life and property of its teeming populace.

In the same vein, chapter four (4) of the said constitution dealt extensively with human rights issues and has categorically made it clear for the Nigerian state, through the provisions below, to work to ensure their fulfillment. Such rights are:

Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria (chapter IV Section 33, Subsection (1)).

Also, chapter four of the same constitution reaffirmed the right of people to move and associate freely, as provided below:

Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests (Chapter IV Section 40).

In the same vein, the constitution further asserts that:

Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry hitherto or exit therefrom (Chapter IV Section 41 Subsection (1)).

⁴ See Amnesty International, Nigeria Human Rights Agenda 2011-2015.

⁵ See Universal Declaration of Human Rights (UDHR)

In view of the above, however, and considering the state of human rights since the bombings of January 20th, 2012 in Kano by the *Boko Haram* insurgents on the one hand, and the measures taken by government to counter it through the Joint Task Force, on the other, this study will attempt to find answers to the following questions:

- i. To what extent were the rights to life, freedom of movement and association infringed by the occurrence of the incidences of the January 20, 2012 bombings of Kano City, and the subsequent attack on worshippers at Bayero University, Kano by the insurgents?
- ii. Under what conditions and in what manner were those rights protected by Government through the Joint Task Force (JTF)?
- iii. What were the atrocities committed at road blocks and to what extent did those attacks affect the socio-economic activities of Kano?

This study is an attempt to document rights violation in the context of insurgent violence in Kano, based on some selected incidences since the January 20, 2012 sporadic bombings of the city. It is aimed at providing faces and personality to victims, and presents their case to serve as a tool for advocacy while at the same time generating new body of knowledge about human rights abuses in the context of the insurgent violence in Kano State.

In view of the above, and in order to have a clear understanding of the human rights situation in Kano since the insurgents attack of the January 20, 2012, and the subsequent attacks, on the one hand, and the measures taken by government through the JTF on the other, the study intends to utilize survey research techniques, particularly Specialized Interview and Focus Group Discussion (FGD) to collect data from a sample size of 51 respondents drawn from varied social groups and the affected survivors and relatives of the victims of such incidences, while at the same time reviewing Books, Newspapers, and Journals around the time of happenings of the selected incidences. The respondents were selected using snowballing sampling techniques to enable the researcher with the referrals that can provide the study with objective data.

Data is presented and analyzed in both thematic and tabular forms, and will be followed by general discussions on the findings of the study. For more on the action plan for the study, see Appendix I.

Understanding Insurgency, Counter-Insurgency and Human Rights

In order for the study to have a conceptual focus, the following concepts shall be seen as follows:

Insurgency

Like all other social science concepts, scholars and theorists have viewed the concept of insurgency using different spectacles. Kilcullen (cited in Bello, 2014) argued that insurgency can be seen “as a struggle to control a contested political space, between a state (or a group of states or occupying powers), and one or more popularly based, non-state challengers.” Kilcullen's definition drew a line between classical and contemporary insurgencies. While the latter aims at overthrowing an existing order, the former strives for the expulsion of foreign invaders from their territory or seek to fill an existing power vacuum. In another instance, the British Army Counterinsurgency Manual sees insurgency as:

The actions of a minority group within a state, who are intent on forcing political change by a means of a mixture of subversion, propaganda and military pressure, aiming to persuade or intimidate the broad mass of the people to accept such a change. It is an organized, armed political struggle, the goal of which might be diverse.⁶

Corroborating the above position, the U.S Army-Marine Corps Counterinsurgency Field Manual posited that insurgency “is an organized, protracted politico-military struggle to weaken the control and legitimacy of an established government, occupying power, or other political authority while increasing control” (Petraeus and Amos 2006 in Bello 2014).

From the foregoing and for the purpose of this study, insurgency will be seen to mean armed struggle and rebellion against a constituted authority in pursuit of an illegitimate agenda.

Counter-Insurgency

To many scholars, counterinsurgency is the opposite of insurgency. Corroborating this position, Kilcullen (2006: 112) asserts that, to understand counterinsurgency, one must first comprehend the dynamics of insurgency. To him, counterinsurgency is all measures adopted to suppress insurgency.” It involves a combination of measures undertaken by the legitimate government of a country to curb or suppress an insurgency taken against it. This means that while insurgents try to overthrow an existing political authority to establish their own, the counterinsurgent forces try reinstating the existing political structures, as well as reduce or annihilate the usurping authority of the insurgents.

Therefore, this study sees counterinsurgency as an effort taken by both the civilian and the joint task forces to defeat insurgents without infringing

⁶See British Army Counterinsurgency Field Manual Volume 1, Combine Arms Operations, Counterinsurgency Operations (Strategic and Operational Guidelines) – Part 10, (Army Code 71749, July 2001), A-1-1. 64

upon people's fundamental rights, thereby restoring normalcy for the progress, stability and development of their country.

Human Rights

For this study, human rights constitute those rights that are inalienable and inherent to all human beings irrespective of their nationality, place of residence, sex, ethnic origin, color, religion, languages, or any other status, as enshrined in the international human rights documents and Nigeria's national constitution.⁷

Therefore, based on the foregoing, it may suffice one to ask whether the counterinsurgency measures taken by the Nigerian government at both federal and the state levels against *Boko Haram* insurgents comply with international law and the Chapter 2 and 4 of the constitution of the federal republic of Nigeria, 1999 as amended? And to what extent did it protect those rights? This study will attempt to provide answers to that within the context of the three selected incidences.

In order to have a clear understanding on what brought the *Boko Haram* insurgency, the study uses the Frustration Aggression theory being of collective violent behavior developed by scholars, such as Dollard (1939), Berkowitz (1962), Yates (1962) and Davies (1962) among others. The theory is more of a psychological one because of its common assumption that violent behavior is always rooted from one's inability to satisfy his needs. Thus, it suggests that conflict is not a natural phenomenon, but instead people's violent behavior is a result of frustration for their lack of a good life, as they suffer from denial of social justice, the basic necessities of life and access to political power in terms of holding positions, as well as any other available economic opportunities. All these frustrated the expectations of people in the society and therefore make them vulnerable to becoming "a group that is most likely to embark on violent destructive behavior or be a ready army to be used to cause crisis" (Omadjohwoe, 2013: 86). This is to say that aggression is always a natural outcome of frustration because:

In a situation where the legitimate desire of an individual is denied either directly or indirectly or by the indirect consequences of the way the society is structured, the feeling of disappointment may lead such a person to express his anger through violence that may be directed at those he holds responsible or people who are directly or indirectly related to them" (Ademola, 2009: 48).

Out of the frustration theory, there was born a relative deprivation theory by Ted Robert Gurr, who further added that groups that perceive themselves worse off as victims of economic discrimination are likely to

⁷ See David Robertson's *Dictionary of Human Rights* (1962).

mobilize simply because poverty is the main source of frustration, and aggression is always a direct consequence of frustration. Gurr (cited in Ademola 2009: 47) further asserts that “the greater the discrepancy, however marginal between what is sought and what seems attainable, the greater will be the chances that anger and violence will result”. The relative deprivation theory has a proposition that the possibilities of collective violence solely depend on the group access to power and economic resources and the feelings of blocked alienation that is no longer tolerable.

Therefore the study chooses to use the Frustration-Aggression theory because it provides us with a spectacle upon which we can understand the underlying factors that brought the *Boko Haram* violent insurgency, being an insurgent group whose argument has always been that they are reacting to the endemic circle of poverty, unemployment and the general poor living condition of Nigerians. The group attributed these problems to the growing corruption, mal-administration and even the money bags politics among the leading elites whom they defined as “Yan Boko” (western educated elites), as the primary cause of all the problems. This means that the group's saturated feelings led them to believe that the only solution to all these myriads of problems created by “Yan Boko” is the Jihad revolution, which they claimed to be pursuing.

The Historical Background of *Boko Haram*

Boko Haram as it is popularly known today, can be traced back to the early 1990's when the wave of Islamic radicalism was at its peak with the introduction of “*Jama'atul Tajdidul Islam*” (JTI) under the leadership of Sheikh Ibrahim El-Zakzaky (Olufemi 2013 and Olomjobi 2013). *Boko Haram*, which is popularly known as “*Jama'atu Ahlis Sunnah Lidda'awati wal Jihad*” (Movement for the call and striving in the way of God), is also attributed to the ideological fundamentalism and teachings of Muhammad Yusuf who formed the *Yusufiyya* movement that comprises the radical youth population through their congregational *Tafsir* (*Qur'anic* exegesis) at Muhammad Ndimi Mosque in Maiduguri, Borno State (Salihi, 2012: 217).

Another school of thought believed that it was when some members of *Jamaatul Tajdidul Islam* discovered that Sheikh Zakzaky was a *Shi'ite* apologist that they dumped it and joined *Izalatul-Bid'ah Wa Iqamatus Sunnah* (*Izala*) with Abubakar Lawan as their leader. Later, Abubakar Lawan changed the name of such group to *Shabbabul Islam*. While Abubakar Lawan left for Saudi Arabia to advance his studies, *Aminu Tushen Ilimi* assumed the leadership of the group and renamed the movement to *Ahlulsunna Wal'jama'ah Hijrat* (Copeland 2013, Olomjobi 2013 and Omadjohwoeche 2013). However, with the coming of Muhammad Yusuf as its leader in 2002, the groups' name changed to *Jama'atu Ahlulsunna Lidda'awati Wal-Jihad* (Salihi, 2012).

The name *Boko Haram* was given to the group by media and government officials and is rooted from the group's own belief that western education is sinful. This is not unconnected with the fact that they perceive

western educated elites particularly of northern extraction, as the genesis behind the myriads of problems bedeviling the country, such as political instability, economic hardship on the citizenry and the general incapacity of government to better the life of its teeming populace, a situation that resulted into frustration, with wanton corruption and unemployment (Salihi, 2012). Therefore, as a result, the group considered “*Boko*” (Western education) to have brought nothing beneficial to the Muslim *Ummah* except poverty and suffering and is, therefore, forbidden, or 'Haram' in Islam (Okpaga et'al, 2012).

In the same vein, the group also holds a bigotry belief not only because Yan Boko (western educated elites) did produce a government that is corrupt and un-Islamic in its practices (Copeland, 2013), but the earth was made flat by Allah (God) in contrast to Darwin's theory. The rights of women and the political system that contradicts the creed such as the concept of sovereignty belonging to the people rather than to the creator is shirk (Olomojobi, 2013 and Salihi, 2012). The group, therefore, made it un-Islamic for anybody who believes in Islam to partake in a government with such an arrangement in whatever capacity. The above is what brings to the fore the urgent need for revolution to overthrow the government in the face of injustice, un-Islamic practices and moral decay. The objective of their revolution, as they claimed, is “the removal of ungodly, corrupt and unjust status quo and replacing it with an Islamic system, which is acceptable to God (Allah) and that which can leads to Justice” (Salihi, 2012: 220), and return to a life under “true” Islamic law with the aim of making a more perfect society away from the corrupt establishment (Walker, 2012).

However, by the year 2002, because of their desire to live an ascetic life away from modern immorality, the group requested land from the Yobe State government (under Governor Bukar Abba Ibrahim) for them to live a segregated life away from the wider society in their hope to establish a true Islamic state. The group settled at Dapchi, Bursari Local Government from where they later relocated and move to Kanamma due to the different forms of misunderstanding they had been having with local community over fishing and irrigation (International Crisis Group 2014, and Walker, 2012). Their ideological belief is contained in the *Boko Haram* document titled “*Hadhihi Aqeedatuna wa Da'awatuna*” literally translated to mean “This is our creed and the methodology of our call” (Salihi, 2012).

Boko Haram's violent attacks started in 2003 right from their secluded camps at Kanamma where they attacked police stations and looted their weapons, set the station ablaze and burnt down government buildings. At Dapchi town, similar attacks occurred where they carted away additional arms, so also in Babangida town through to Damaturu city. Since then, the group members have attempted to advance to Maiduguri but were prevented by the security agencies (International Crisis Group, 2014:10). The members re-grouped in September 2004 with a small cabinet of leaders, a mosque, and a farm, imposed a harsh form of *Shariah* Law, and developed its own police

force” (Copeland, 2013). They attacked Bama, Gwoza and other neighboring villages before they move to Mandara Mountain along Cameroon border. Muhammad Yusuf continued to lament in very despairing terms against the ruling class citing corruption, impunity and the general failures of government performance.

The group members started their full violent confrontation with the security forces between June–July 2009, when soldiers in Operations Flush interrupted the group members to enforce crash helmets, most of whom refused to wear, during a funeral prayer of one of their members where about 17 – 19 persons sustained injuries. This is why Muhammad Yusuf called upon all the group members to be prepared for an upcoming Jihad. The situation was further compounded by the military operations of July 28th – 30th, 2009, which destroyed the group's headquarters, called *Ibn Taymiyya*, and the leader of the group, Muhammad Yusuf, was hastily executed with about 800 other members killed, including Yusuf's father-in-law (Ba'a Fugu) and Buji Foi (Walker, 2012 and Salihi, 2012).

Abubakar Shekau who was the second in command took over the leadership and embarks on a series of attacks both in and outside of the north-eastern part of Nigeria, to places such as Kano, Kaduna and Abuja, among others, where the group employs the use of the guerilla style of hit and run tactics. The targets of their attacks have been police stations, military barracks, prisons, government officials, the UN Nigeria office, suspected security collaborators, etc. *Boko Haram* has an organizational structure headed by *Ameerul-Amm* (Commander-in-Chief) who together with his *Shura* Council members (the forum of Commanders) take decision at its peak. There are other local *Ameers* that command and coordinate armed operations in major cities. They are also part of the *Shura* council. Local *Ameers* are deputized by “*Nabin*” in discharging the day to day activities of the group. “*Nabin*” give orders to “*Mu'askar*” who communicates it to the foot soldiers that go to the field for operation. Cities and major towns are divided into “*Lajna*” (sectors) each with its distinctive sub-Amir who supervised the operation and administration of the group in his domain (International Crisis Group, 2014). Having had the background history of the emergence of *Boko Haram*, the next section of this study will dwell on its insurgent's activities in Kano.

The Insurgent Activities of *Boko Haram* in Kano

The insurgent's activities of *Jama'atu Ahlul-Sunnah Lidda'awati Wal Jihad* popularly known as *Boko Haram* in Kano started earlier than the popularity of the group on the eve of the 2007 general elections when a renowned Islamic cleric, Sheikh Jafar Mahmud Adam, was assassinated in the early hours of Friday 13th April, 2007, a day to the then gubernatorial election. The killing was later attributed to the group members because of the popular ideological disputes between the late Sheikh Jaafar and Muhammad Yusuf, the group leader, over certain sectarian beliefs of the group. The militant group

resurfaced two days after the killing of *Sheikh Jaafar* where they attacked the 52 squadron mobile police unit, at Challawa, Panshekara, where there was a fire exchange for over 48 hours. In a similar encounter, they also launched attacks at different places in Kano including Dala Police Station, Jakara Police Barracks, Goron Dutse Division, and planted bombs at Sabuwar Doka Junior Secondary School in the Ungogo Local Government Area (*Vanguard*, April 17, 2007).

In another development, because of the tactics and strategy used by the group, which includes heavy weapons, such as Improvised Explosive Devices, assault rifles, bombs and the guerilla style of attack, the group was then called the Nigerian Taliban. Moreover, because of the inability of security personnel to counter the insurgent's violence, several other attacks continue to occur in Kano from time to time. For more on their attacks in Kano, see Appendix II.

Counter-Insurgency Measures in Kano

With the January 20, 2012 sporadic bombings of Kano *Boko Haram*, which claimed the lives of more than 200 people, with many others injured, and in view of the fear of continuing attacks on strategic places in the city, government both at the federal and state levels responded with measures to counter the trend. While explaining the reason behind government's response, Copeland (2013: 40) observed that the tactics undertaken by *Boko Haram* since 2009 have succeeded in undermining the authority of political leaders and the Nigerian security apparatus. Hence, the necessity for the introduction of the counterinsurgency measures by the Nigerian government. The measures introduced in Kano include the establishment of the JTF, the introduction of a curfew, road blocks or checking points, the cordoning off of security vicinity areas and the ban of motorcycle riders carrying more than one person, among others. It is also important to note that these measures became necessary because *Boko Haram's* violent campaign has increased fears and insecurity across the entire country and, most particularly, in those states worst affected by the insurgency (Kano inclusive) to the extent that life is no longer what it used to be.

Furthermore, with the introduction of these measures and their subsequent implementation in the insurgency affected states, in general, and Kano, in particular, individuals and human rights groups both national and international begun to express worries and concern by the manner in which JTF has been handling the implementation of those measures because of the increasing reports of the daily occurrence of human rights violations. In its 2011, 2012 and 2013 human rights reports, Amnesty International, found numerous investigative activities carried out by the JTF to be unlawful, and that investigations do not seem to be intelligence led; the JTF simply cordon off areas and carry out house to house searches, arresting and at times shooting young men. The reports further observed that in most cases JTF resorted to the destruction of properties, extrajudicial executions and public assaults against

the citizenry, particularly women and children.

In the same vein, the Kano Civil Society Forum, an umbrella body of more than 100 civil groups across the state, has been monitoring the activities of JTF in the state and written petitions to President Jonathan, the Speaker of Nigeria's House of Representatives and the Executive Governor of Kano State, detailing them the state of human rights abuse perpetrated by both the JTF and *Boko Haram* insurgent's violence in view of the precarious security situation in the state since the January 20, 2012 attacks. The forum called their attention by informing them that it was unfortunate the JTF, who were meant to protect human dignity in the discharge of their responsibilities, are at the forefront of abusing human rights. Such abuse cuts across extra-judicial killings, harassment, intimidation and extortion at checking points.

To sum it all, and while commenting on the Nigerian's government response to *Boko Haram* insurgency, Walker (2012: 12) argued that the tactics employed have been consistently brutal and counter-productive because, as Walker asserts, their reliance on extra-judicial execution as a tactic in “dealing” with any problem in Nigeria not only created *Boko Haram*, as it is known today, but also sustained it and gives it fuel to expand. Other measures, such as road blocks set up to prevent militants from moving arms around are quickly turned into opportunities for police to extract bribes or harass and intimidate people. All these and more have made people in the states affected by the insurgency more scared of the JTF than even *Boko Haram*.

For more on the extent to which *Boko Haram* insurgents and the JTF violated people's rights to life, association and freedom of movement in Kano, see the section on data presentation and analysis.

Presentation and Analyses of Data

This section is an attempt to examine the varied information gathered from the responses of 51 respondents who were interviewed, using FGD and Semi-Structured Interviews respectively. A total of two sets of seven (7) questions were asked on the incidences of the January 20th, 2012 bombings of Kano, and the attack on worshippers at Bayero University, Kano respectively. While a separate set of five (5) questions were administered on the three selected incidences of extra-judicial killings in the state. Below is a presentation and analysis of the data collected, as well as general discussions of the findings of the study based on the three selected incidences:

1. The January 20, 2012 Incidence:

- Respondents thought on the January 20th 2012 Bombings of Kano:

100% of the 16 FGD (8 male and 8 female) and 10 semi-structured interview respondents have described the incidence as the most devastating that has ever happened to the city of Kano because, they argued, the city was left in panic and commotion coupled with the

destruction of properties and killing of more than 200 innocent people, with many others injured. In the words of one of the respondents, “*mu dai munga babban tashin hankalin da bai taba faruwa ba,*” meaning, it was the most traumatic situation unprecedented in the history of the state.

Whether respondents thought the attacks of January 20th, 2012 violated people's rights to life and freedom of movement and association:

Table 1: Female Respondents' Views on January 20, 2012 Attack

No of Respondents	Types of Responses	Percentage (%)
8	Yes	100%
0	No	0%

Source: (FGD Interview 2014)

This means that 100% of all the female FGD respondents agreed that the January 20th, 2012 bombings of Kano violated people's right to life and freedom of movement and association.

Table 2: Male Respondents' Views on January 20, 2012 Attack

No of respondents	Types of response	%
9	Yes	100%
0	No	0%

Source: (FGD Interview 2014)

100% of the male respondents also agreed that the attack infringed upon people's right to life and freedom of movement and association. Similarly, the 10 respondents interviewed using semi-structured interview also shared similar opinion with their female and male FGD counterpart.

- The extent to which the January 20th, 2012 bombings violated people's rights to life and freedom of movements and association:

100% of the 16 FGD (8 male and 8 female) and 100% of the 10 semi-structured interview respondents have agreed that the incidences of rights violations are occurring on a daily basis in the state since during and the aftermath of the attack, from assault on human dignity of the citizenry at security check points to reported the cases of extra-judicial killings of innocent citizens by members of the JTF. In the words of one of the respondents, rights are always infringed to the extent that there is no guarantee for the protection of life and property - “*Idan mutum ya fito sai ya dawo*

kawai.” Meaning, if a person came out there is no guarantee of him/her coming back because anything can happen.

- How government measures protected the rights to life and freedom of movement and association:

100% 16 FGD and 100% of the 10 semi-structured interview respondents believed that the measures taken by government through the establishment of the JTF, such as curfew, check points or road blocks, the cordoning off of security vicinity areas, among others, meant to counter *Boko Haram's* insurgent violence, have rather worsened the security situation to the extent that people fear the JTF more than even the insurgents. The respondents argued further that one can only say that the only success recorded by such measures is the prevention of the occurrence of similar sporadic attacks at least in terms of intensity and magnitude.

- The extent to which the attack affected the socio-economic activities of Kano:

All the 100% of the 16 FGD (8 male and 8 female) and 100% of the 10 semi-structured interview respondents stressed that the attacks and the subsequent measures taken by government as stated above have succeeded in disrupting the socio-economic activities of Kano to the extent that millions of people were unable to pursue their normal daily lives, causing considerable loss of earnings and disruption of their normal social life. Similarly, as the respondents argued, with the very tight security check points and threats of intimidation and harassments across the main entrance of Kano city, vehicles coming into Kano for business purposes have significantly reduced. One of the semi-structured interview respondents added that in Hotoro area alone, because of the cordoning off of Mopol Barracks, more than 300 shop owners were forced to close for business and up till now none of the said shops is allowed to open.

On this Issue of Redress

The respondents said even though government and some concerned institutions, such as the Central Bank of Nigeria extended some monetary gesture to the victims of the slain police officers and were also able to help some of the wounded victims with medical facilities, they are not aware of any further attempt by either the government or individuals to respond to the several calls made by CSOs in ensuring that justice is done to those innocent people who lost their lives and who suffer intimidation and harassment in the hands of the JTF.

1. The Attack on Worshippers at Bayero University, Kano

Respondent's Perception of the Attack

100% of the FGD respondents believed strongly that the attack, which

took place on the 29th of April, 2012 at 7:45am was meant to disrupt their religious activities and prevent them from worship. They added further that such an incidence was the most traumatic and unforgettable because, as one of the respondents asserts, “10 members were lost including 2 Professors, Secretary of the Chapel, and even a pregnant woman, with many others injured,” . Another FGD respondent argued that the attack was “a conspiracy, we feel people know about it before it happened.” Similarly, 100% of the 4 respondents interviewed using a semi-structured interview also corroborated with the assertion made by the FGD respondents on the attack and further stressed that it caused mistrust between Christians and Muslims in the state.

Whether respondents thought the attack violated people's right to life and freedom of movement and association:

Table 3: Female Respondents' View on the Attack and Violation of People's Rights

No of Respondents	Types of Response	Percentage (%)
8	Yes	100%
0	No	0%

Source: (FGD 2014)

From the above table, it is apparently clear that 100% of the 8 female respondents believed strongly that such an attack violated people's right to life and freedom of movement and associations. In the same vein, the 4 respondents interviewed using a semi-structured interview also share the same opinion with the 8 female FGD respondents (Semi-Structured Interview 2014).

Table 4: Male Respondents' View on the Attack and Violation of People's Rights

No of Respondents	Types of Response	Percentage (%)
8	Yes	100%
0	No	0%

Source: (FGD 2014)

100% of the male FGD respondents agree that such an attack infringed upon people's rights to life and freedom of movement and associations. Also, all the 4 respondents interviewed using a semi-structured interview share a similar position on the said issue.

The extent to which the attack violated rights to life and freedom of movement and association is shown by the fact that 100% for 16 FGD respondents (8 female and 8 male) and 4 semi-structured interview respondents argued that 10 lives were lost with several others injured as a result of the attack. Concerning freedom of movement and association, the respondents asserts that, as a result of the attack, the attendance of worshippers drastically reduced to between 12 – 15 instead of the 600 people that used to attend, though the respondents argued things are gradually improving now.

Respondents' thoughts on the measures taken by government through JTF

100% of all the 16 FGD and semi-structured interview respondents believed that, though the deployment of the JTF has prevented a similar attack from happening, the manner in which the JTF relate with the worshippers has further discouraged many from observing their worship at the Chapel. One of the respondents said “one of the soldiers threatened to shoot me by saying i will fire you.”

On the Issue of Redress

100% of all the FGD and semi-structured interview respondents made it clear that there wasn't anything done to ameliorate the suffering of both the victims and survivors of the attack. It was only the chapel which spent up to N2,000,000 catering for them. In fact, they argued, even the University did not do anything except the Students Union Government who helped the victims. One of them recounted that he was shot on his shoulder and was taken to a nearby clinic at the red-bricks area of *Kabuga*, but the hospital rejected him. He was then taken to *Rijiyar Zaki* Police Station, which also refused to receive him. It was not until he was taken to the *Aminu Kano* Teaching Hospital (AKTH) that he was admitted for treatment. No government or individuals intervened to support the victims and survivors of the attack.

3. Incidence of Individual Extra-Judicial Killings

Also, the study, based on the responses of the respondents interviewed, is able to document some cases of extra-judicial executions in Kano since the aftermath of the tragic incidence that rocked the city on the 20th January, 2012. Below are the selected incidences:

The Case of the Late Hassan Alfa

The Late Hassan Alfa was a son of *Alh. Alfa Abdullahi of the Tudun Maliki* area of *Kumbotso* L.G.A. Until his sudden death, Hassan was twenty-five years old and a student of Kano State Polytechnic. The incidence that led to his alleged extra-judicial killing happened on the 16th of November, 2013, as a result of a family feud during Eidel Kabeer (Sallah) celebration, when his step-sister, Sa'a Garba Fagge, against the wish of his father, Alfa Abdullahi, invited local drummers to celebrate the Sallah festivity. One of the respondents, Alhasan Alfa, a brother of the deceased, while recalling what caused the dispute, added that "Our father asked her and the local drummers to stop, as it was time for prayer, but refused to, and we feel she disrespected our father and that made us sad." This is what prompted Alfa's children (the deceased, his brother Alhasan and another brother of theirs) to take action against Sa'a by beating her.

In response to that, the girl, *Sa'a*, called the Divisional Police Officer, Fagge, to come to her aid. Upon arrival, the D.P.O attempted to enter Alfa's House but was denied entry by one of Alfa's children. As a result of which the D.P.O phoned the Sheka Division, seeking reinforcement because he claimed to have a robbery case. According to the father of the deceased, about eight (8) Police Officers from the Sheka Division came into the house and searched everywhere, even though they didn't have any arrest warrant to enter the house, but entered and arrested two boys, including the deceased. They took them to the Sheka Division on the same day the incidence happened and transferred them to Special Anti-Robbery Squad (SARS) at Bompai Police Headquarters, Kano on 17th November, 2013, where they were allegedly subjected to dehumanizing treatment in form of torture, which infected Hassan's delicate organ (brain). The brother of the deceased, Alhasan Alfa, further added that "It was when I saw my deceased brother's head and ears bleeding I asked the Officer in Charge to help me with his phone to inform our father. The Police then decided to take us to the Hospital. While on our way, one of the Police Officers warned me not to say my brother was tortured failure of which he threatened to beat me." According to Kano Chronicle, the deceased was taken to a private clinic and later to Aminu Kano Teaching Hospital where they discovered that the deceased was beaten and had a crack in his brain, which led to his ultimate death (*Kano Chronicle*, October 30, 2013).

Furthermore, the father of the deceased, in an attempt to seek justice, spoke to the media on the incidence, which prompted the Police to arrest him and demand that he should go and withdraw all the accusations he labelled against them. The father replied with "never in my life". They detained him too and later took him to the Magistrate Court located at Norman's Land, Sabon Gari, where they charged him with the allegations of homicide and harbouring armed robbers in his house. It was the

intervention of Kano Civil Society Forum, as contained in one of its advocacy press releases dated 26th November, 2013 on the issue, having heard of the incidence both from the media and a fellow colleague residing in the deceased's area, that challenged the excesses of the Nigeria Police to stop intimidating the father and any of the relatives of the deceased. Instead, they called on the Inspector-General of Police to intervene by instituting an investigative committee of inquiry to unravel the issue. Though the I.G of Police responded because the present A.I.G., Tambari Yabo, assured members of the public that, "The Alfa case has been transferred to my office and is still under thorough investigation, and I assure the good people of Kano State that anybody among my officers found culpable would be punished accordingly. We will not spare anyone, no matter how big he is. I promise you that justice will be done..." In compliance to that, a public hearing was held at Zone One Police Headquarters in the state on the case but up to now the general public are yet to hear anything concerning the report of the hearing. That prompted the Civil Society Forum and a consortium of lawyers under Barrister Aliyu Umar (SAN) to seek legal action as a way forward.

Moreover, on whether the family has received any support in seeking redress, the father added that it was the Kano Civil Society Forum, Aliyu Umar's chamber and private independent media stations, such as Freedom Radio, Rahama Radio, etc. that have been helping them right from the time he instituted legal action to date. A consortium of selfless and voluntary lawyers was constituted under Barrister Aliyu Umar's Chamber. They have been working alongside the Civil Society Forum and have succeeded in winning the case at the Federal High Court, Kano, even though the Police appealed against the ruling of the court, of which the deceased relatives, the Forum and Barrister Aliyu Umar's Chamber are now pursuing.

The Case of the Late Hadiza Bala

The Late Hadiza Bala was a twenty-two (22) year old woman who was married to Malam Auwalu Rijiyar Lemo and resided at Unguwar Dabai. Based on the interview with the father of the deceased, Alhaji Tijjani Idris Goron Dutse, he observed that, "The incidence happened as a result of the inefficiency and unprofessional conducts of the Nigerian security agencies". He further added that the husband of the deceased, Malam Auwalu, asked his brother to accompany two satellite installers to install a satellite dish in his house. It was when the installers who were carrying a small bag containing working equipment entered Malam Auwalu's house, unfortunately, that some un-uniformed security personnel who were on patrol searching for *Boko Haram's* hideout in the area, mistook them for insurgents, and immediately alerted the JTF.

Upon arrival, the JTF stormed the area and surrounded Auwalu's house with about seventeen (17) patrol cars, including one armored tanker. The deceased, Hadiza, was inside together with her senior sister and her small baby, when the soldiers started shooting. Upon hearing the sound of sporadic shootings, Hadiza and her sister came out of the room to witness what was going on, and incidentally she was shot while her sister went back to the room and phoned their mother of the incidence. Alhaji Tijjani Idris added that “Hadiza only, heard a gunshot on her shoulder, she fell down, crying and shouting, “They have killed me. The deceased mother and her elder sister came to the rescue of their daughter, but the soldiers barricaded everywhere. They came to know of Hadiza's death when the soldiers carried the corpse and asked the sister to take the baby, and took them to Bokavu Barracks”.

Upon reaching the Barracks, they took the corpse to the mortuary of Murtala Hospital. While at Murtala, the soldiers instructed the officials of the mortuary that whoever came he/she should tell them the name of the deceased. Having heard of what happened, the relatives and neighbors of the deceased from Rijiyar Lemo went to the mortuary and collected the corpse. She was then buried according to Islamic rites. Two days after her burial, the relatives went to the barracks with a written letter demanding to see the commandant. The father added that “from the onset, the person leading us was only to tell us that it was a mistake, which you have to bear it. The commandant apologized to us, insisting that it was a mistake”.

In a related development, Alhaji Idris further recounted that, a day later, the officials of Bukavu Barracks came with their chief Imam, seeking for our forgiveness, insisting that even if the incidence did not happen, she would not live beyond her time. Hence, Allah destined her death to come through that way”. Still the family stood firm that “we will never forgive and Allah will surely punish and judge whoever is responsible for the killing of our daughter,” the father maintained. But when asked on the effort to get redress through court action, the family was hopeless because “we will end up wasting our time, resources and all that which may go in vain, therefore what is the essence?” the father concluded.

The Case of the Late Hassan Yan Lemo

This is another incidence that happened as a result of the government imposition of a curfew on motorcycle riders. The family was informed through Jamilu Sheka together with whom they were arrested. Malam Auwalu Engineer, the elder brother of the father of the deceased, said Jamilu, an eye-witness, informed him that, “the deceased was coming at a high speed because it was a curfew time which made it difficult for him to control the machine, passing through the first police officer along Zaria Road. Upon reaching the second officer, Adamu Dan Zaria of 'Yan Katak police station, he then used a gun to hit the deceased on the head, as a result

of which he fell to the ground bleeding and died instantly.”

Upon reaching the police station, the neighbor of the deceased said, the DPO claimed that the deceased had an accident due to the head-phone he was wearing on his ears while riding at a high speed. He said they took him to hospital; where the doctor confirmed his death. Though the neighbor explained, “we asked them to show us evidence that they took him to the hospital; there was none.” On noticing what happened to the deceased, people in the community started demonstrating that they would go to the station to take revenge. It was the village head, the district head of *Kumbotso*, and Honorable Abdul-Wahab (member representing Takai in the state assembly) that urged the people to calm down as they would seek for justice. It was their effort that calmed the people to go and bury the deceased according to Islamic rites.

However, what effort did the family made to get justice? Malam Auwal Engineer said they were disappointed because the district head and Honorable Abdulwahab did not do anything as promised. “We will never forgive them”.

Discussion of the Findings

Arising from the findings of this study, as enumerated in the section of the presentation and analysis of data, it is evidently clear from the responses of the respondents, as contained in table 1:1, 1:2, 1:3, and 1:4, that the rights to life and freedom of movement and association have been grossly infringed by the *Boko Haram* insurgent's attacks of the January 20, 2012, and the attack on worshippers at Bayero University, Kano, on the one hand, and the subsequent measures taken by government through the JTF to counter the trend on the other. This is because the respondents said more than 210 lives were lost with several others wounded. Similarly, based on the record available to the Kano Civil Society Forum, below is a list of some reported cases of extra-judicial killings alleged to have been committed by the JTF which are already in the public domain, including the media.

Furthermore, the study also noted that a lot of atrocities have been committed at check-points by the JTF, ranging from harassment, intimidation and extortion. The respondents noted further that virtually on a daily basis, cases of people being asked to frog jump, lie down on the street facing the sun, or caned publicly are being reported. Though such incidents have drastically reduced now, an effective remedy is yet to be put in place for the victims.

Moreover, with the very tight security checkpoints in all major entrance of Kano coupled with the imposition of a curfew, the respondents assert that the economy of Kano has been severely hurt because they affected people's earnings with hundreds of shops near security vicinity areas closed, and has in no small amount reduced the number of businessmen coming to Kano on a

on a daily basis to transact business.

Conclusion and Recommendations

From the foregoing and considering the various information gathered and analyzed from both the responses of all the respondents, on one hand, and the various journals, newspapers and books reviewed, one will not hesitate to say that it's gloomy predicting the doom on the state of human rights since the January 20, 2012 sporadic bombings of Kano. Both the Federal and State governments have failed in their obligations of protecting and advancing the dignity of the people of Nigeria being a signatory of various international human rights documents, and as contained in Nigeria's 1999 constitution, as amended. Unless the following are taken into consideration, the issue of safeguarding people's rights to life and freedom of movement and association will only be a mirage.

- i. In view of the various complaints of human rights violation from the public and in recognition to the committee set up by the security agencies themselves to monitor the activities of their personnel, which people judged to be grossly inadequate, a broader security coordination committee in the state should be established. The committee members should be drawn from the Kano Civil Society Forum, Media and the security agencies themselves. Such a committee should work out modalities to monitor the activities of the security agencies.
- ii. The JTF must have to work out rules of engagement for its members and make it available to the general public.
- iii. Another broader coordination committee should be created to help work out ways to receive and treat complaints from the public. The Kano Civil Society Forum, Media, and the JTF should be members.
- iv. To address the issue of extortion, Government should improve the welfare of the JTF operatives by investigating their state of being.
- v. Government should compensate the victims in line with the same way assistance was offered to the relatives of those who died during the January 20th, 2012 incident.
- vi. Government must re-consider those hundreds of shop owners whose shops were closed because of their existence close to security vicinity areas.
- vii. The study found out that insurgency can best be averted when government is committed to empowering and educating its citizenry.
- viii. Government should also be seen to be just in discharging its responsibilities, as stated in the amended 1999 constitution.

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CHAPTER SIX

Insurgency in Kano: The Plight of the Widows of Policemen

Fatima A. Ibrahim

Introduction

This research report draws from a project on Human Rights Abuse Documentation in places where insurgent or terrorist activities have taken place in Northern Nigeria from 2012 to 2014 undertaken by the Centre for Information Technology and Development (CITAD). The research was sponsored by the MacArthur Foundation to know the plight of the wives of policemen who died as a result of the insurgency in Kano.

As is highlighted below in the literature review section of this report, gender-based violence as a subject was specifically addressed and measured in the context of this study. In October 2000, the Security Council's Resolution 1,325 acknowledged the disproportionate impact of conflict on non-combatants and the gendered impact of armed conflicts and human rights abuses in conflict zones (Pereira, 2013: 1). Documented cases of violations in conflict situations require acknowledgement that women and men differ in their vulnerability to and experiences of differing forms of violence (ibid).

Violence is too often narrowly defined as an act of illegal, criminal force; in reality, it can incorporate exploitation, discrimination, the upholding of unequal economic and social structures, the creation of an atmosphere of terror, situations of threat or reprisal and many other forms of political coercion (Kassim, 1991: 33).

This report will show the plight of the wives of policemen who died as a result of the insurgent actions in Kano. The killing of policemen at various attacks by insurgent groups have, by no means, brought untold hardship to the widows and children of the dead policemen; the effect on the widows can be seen and felt by anyone who comes in contact with them. Frustration, harassment and deprivation as a result of the loss of their husbands coupled with unpaid benefits of their husbands who died in active service have a serious impact on the socio – economic lives of the widows.

As noted by a national newspaper, the *Daily Trust* (January 8, 2014) under a caption “Day Police Brought Succor to the Families of Fallen Cops”, the plight of the widows was so pathetic that the Inspector General of Police, through the Commissioner of Police in Kano, then Musa A. Daura, distributed foodstuff to them. Some of the widows asked the Police to employ them as cleaners, if possible, in order to alleviate their sufferings.

In January 2012, Kano Metropolis witnessed multiple bomb explosions at various Police formations. The Police formations affected included but were not limited to: the Nigeria Police Division I North-West Zonal Headquarters, the *Bompai* Police Command, Farm Centre Police, *Ungwar Uku* Police and the

Bompai Police Barracks. In subsequent months, attacks were carried out at other Police formations that were not affected initially. *Mandawari* and *Goron Dutse* Police Stations were attacked, too. In May 2014, the *Sumaila* Police Station located at the outskirts of Kano was attacked as well. This led to the deaths of score of policemen who were at their duty posts and some in their homes at *Bompai* Police Barracks. This led to the death of many Policemen and subsequently, the plight their widows and families found themselves.

An Overview of the 2012 Insurgency in Kano

Against the background of many policemen who died as a result of the insurgent attacks since January 20, 2012; it became very important to get their surviving family members (widows) to tell their stories of rights violation. These violations occur in the family (social) and institutional (political) contexts. This means that documenting the experiences of the violation of rights requires an analysis of the overall context in which such violations took place as well as an understanding of the respondents' own concept and descriptions of reality (Pereira, 2013: 2). On the basis of the foregoing, this study raises and intends to examine critically the following questions:

- a) What are the perceived human right violations of the widows of the dead policemen in Kano?
- b) What are the consequences of the violation of the widow's human rights?
- c) What role has the Nigeria Police Force (Kano Command) played in the plight of these widows?
- d) How does this problem project the perception of these widows about the Nigerian Police?
- e) How has the policies of the Nigerian Police Force (the Kano Command) influenced or contributed to the plight of these widows?
- f) In what way is Civil Society going to help in addressing the plight of these widows?

The main objective of this study is to analyze the nature, causes and consequences of violation of the widows of policemen who died as a result of the insurgent activities in Kano. Specifically, the research sought to

- a) identify human rights abuses against the widows of policemen in Kano
- b) examine the perception of the widows with regards to the activities of police authority in Kano towards their plight
- c) examine the action taken by the wives of policemen who died as a result of the insurgent activities
- d) provide useful data that can guide stakeholders' interventions to advocate timely action by the Police towards the plight of the widows.

This study on the plight of the widows of policemen in Kano State was carried out from April to July 2014 on a selected sample of the widows in the Bompai Police Barracks and Mobile Police Barracks, Hotoro. The wives of the late policemen who died were selected by the Commissioner of Police through the Police Officers Wives Association (POWA) to provide empirical information on their plight. Although there have been previous studies from different groups in this country, their findings have not seen the light of the day in terms of public consumption. This study hopes to be different because the findings will be accessible to the public. It must be emphasized that, given the sensitive nature of the issue investigated, it was difficult to get the widows even through POWA for interviews, this limited the research. However, the study utilized the Focused Group Discussion (FGD) to retrieve data. The FGD was designed to reflect the human rights abuses relating to the nature, causes and consequences of the plight of the widows.

A research of this nature is not without its limitations. The first challenge was getting the Commissioner of Police in Kano to attend to us and authorize us to interview the widows. Secondly, the POWA was not forthcoming to help us to get the widows for discussion despite the fact that it is the gatekeeper that knows where and how to get the widows. However, it was after the Commissioner of Police Kano Command intervened that the POWA immediately organized the widows within the timeframe.

Conceptual Clarifications

This section explains some of the concepts. First, let us look at gender-based violence, which the United National Development Programme (UNDP) defines as follows:

The term gender denotes the qualities associated with men and women that are socially and culturally, than biologically determine. Gender includes the way in which society differentiates appropriate behavior and access to power for women and men. Although the details vary from society to society and change overtime, gender relations tend to include a strong element of inequality between women and men and are strongly influence by ideology (United Nations Development Report, 1986: 258).

There are two major perspectives that cannot be ignored, namely feminist theory and gender studies. Feminist theory can be defined as the theorization of women oppression and gender studies can be defined as investigations into the ways that sex and sexuality determine power relations in society. Here, sex means male and female and sexuality implies sexual behaviors.

Social differentiation by gender is in many respects similar to being male or female, and is merely a cultural division that is universally accepted. However, the divisions are so distinct that through the growing years, an individual is given the socialization that suits the role that is expected of him/her by culture and society. In this regard, the division in gender is distinct from the biological division between male and female, which is based on one's physiological make-up.

Gender is socially constructed based on the assumed power and position that a group of humans should possess, whereas sex is a biological division (Eagle and Steffen, 1984). Power in this sense is a broad concept describing the ability or freedom of individuals to make decisions and behave as they choose, but their choice patterns are underlined by societal dictates. Society through the decision makers or the tagged power group backed by cultural beliefs defines what an individual can and cannot do. This brings to the fore the feature that distinguishes gender from sex. Gender can change if there is a major social change in the value system; it varies from society to society. But unfortunately, it has persisted through history.

Gender differentiation is well pronounced in patriarchal societies where a few individuals ascribe to themselves the role of taking decisions on behalf of a group, thus dominating other members (Oluyemi-Kusa, 2006: 208). The invocation of cultural beliefs and values and the maintenance of the status quo keep the decision making group at the top. Unfortunately, in many societies women are considered weak, while the men are the decision makers.

Recent research has shown that violence against women is a worldwide problem in both developing and developed countries. According to Davies (cited in Kassim, 1991: 33) “violence is too often narrowly defined as an act of illegal, criminal force, in reality, it incorporates exploitation, discrimination, the upholding of unequal economic and social structure, the creation of an atmosphere of terror, situations of threat or reprisals, and mainly other forms of political control and coercion”. These acts may be psychological violence, which is manifested by psychological mental threats, abuse, harassment, etc.

Violence against women is a technical term used to collectively refer to violence acts that are primarily committed against women. Similar to a hate crime, this type of violence targets a specific group with gender victimization as a primary motive. This type of violence is gender-based, meaning that the acts of violence are committed against women expressly because they are women, or as a result of patriarchal gender constructs. The United Nations Declaration on the Elimination of Violence against Women states that “violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men” (UN General Assembly, 1986: 259).

The United Nations General Assembly, in its resolution on the Declaration on the Elimination of Violence Against Women, defines violence against women as “any act of gender-based violence that results, or is likely to

result in physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or the arbitrary deprivation of liberty, whether occurring in public or in private life” (1996). Also, the 1993 Declaration on the Elimination of Violence against Women noted that “this violence could be perpetuated by assailants of either gender from individual, communal to state levels”. In addition, the term “Gender-Based Violence” refers to any “acts or threats of acts intended to hurt or make women suffer physically, sexually or psychologically, and which affect women because they are women or affect women disproportionately”.

However, there has also been a history of the recognition of the harmful and wrongful effects of this violence, and actions have been taken to classify it as unjust. From the 20th to the 21st centuries, particularly since the 1990s, there has been a large increase in health issues as a result of the violation of the human rights of women. A study in 2002 estimated that at least one in five women in the world had been physically or sexually abused by a man sometime in their lifetime and that “gender-based violence accounts for as much death and ill-health in women aged 15-44 years as cancer, and is a greater cause of ill-health than malaria and traffic accidents combined” (UNDP, 1986). Although there are many different forms, certain characteristics of violence against women have emerged from that research. For example, quite often acts of violence against women are not unique episodes, but are ongoing overtime, and that more often than not the violence is perpetuated by someone the woman knows, not a stranger. However, all of the research seems to provide convincing evidence that violence against women is a severe and pervasive problem the world over, with devastating effects on the health and well-being of women and children. Some of the largest milestones at the international level for the prevention of violence against women include:

- a. The 1979 Convention on the Elimination of All forms of Discrimination against Women (CEDAW), which recognizes violence as a part of discrimination against women and which Nigeria is a signatory to.
- b. The 1993 World Conference on Human Rights, which recognized violence against women as a human rights violation, and which contributed to the following UN declaration.
- c. The 1993 UN Declaration on the Elimination of Violence against Women was the first international instrument explicitly defining and addressing violence against women. This document specifically refers to the historical nature of gender inequalities in understanding violence against women. This declaration, as well as the World Conference of the same year, is often viewed as a “turning point” at which the consideration of violence against women by the international community began to be taken much more seriously, and after which more countries were mobilized around this problem.

- d. In 1999, the UN designated November 25 as the International Day for the Elimination of Violence against Women.
- e. The 2006, the UN Secretary General's "In-depth Study on all Forms of Violence against Women" became the first comprehensive international document on the issue.
- f. In 2013, the United Nations Commission on the Status of Women (CSW) adopted, by consensus, agreed conclusions on the elimination and prevention of all forms of violence against women and girls (formerly there were no agreed-upon conclusions).

Additionally, there are charters on human rights in Africa. These are the African Charter on Human and Peoples' Rights; the African Charter on Peoples Rights (also known as the Banjul Charter) is an international human rights instrument that is intended to promote and protect human rights and basic freedoms in African continent; African Charter on Human and Peoples' Rights, Part I, Chapter I, Articles 2 & 5 States as follows:

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune birth or any status.

Article 5:

Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.

Furthermore, Article 3 of the Universal Charter of Human Rights declares that "everyone has the right to life, liberty and security of person". Article 16 (3) of the same Universal Charter declares that "The family is the natural and fundamental group unit of society and is entitled to protection by society and state". The widows are denied these rights and the violations are perpetuated by the same Police that their husbands served and the Police that is saddled with the responsibility of the protection of these rights not only to the widows, but to the nation at large.

The question that keeps coming to mind is, if the Police will not protect its own, who then will? What the literature review does offer nonetheless is that gender-based violence is perpetuated by the Nigeria Police against the widows of the dead policemen by inflicting psychological injury on them and depriving them the right to decent living. It is, therefore, believed by some that it is this treatment and condition of service that affect the Police delivery of service. As the policemen find it difficult to put in their best when faced with defending the citizens from attack from armed robbers and even the recent insurgency

because they feel if they lose their lives, the families they will leave behind will not be catered for, rather they will face various violent acts.

The Historical Background of Insurgency in Kano

Kano was transformed from a community to a state with the establishment of the Bagauda dynasty. Kano has been politically and economically vibrant right from the beginning. Its politics has been so dynamic and the people are politically enlightened. Kano's densely populated old city is surrounded by a well preserved 22 km (14 miles) long wall dating to the 13th century (Mohammed and Yakubu, 2010: 2).

The earliest settlers of Kano were Hausa speaking people, whose language belong to the Chadic family of the Afro-Asia plum. These earliest settlers were known as Abagayawa who migrated from Gaya and settled at Dala hill. Their ancestor was known as Kano. They lived in communities headed by the chief priests. The most celebrated of the chief priest was Barbushe who was a grandson of Kano who lived around Dala where the famous shrine of the people was located. The people then worshiped spirits (Mohammed and Yakubu, 2010: 2) The pre-state communities depended on hunting and gathering. Barbushe was a great hunter. He established the *Tsumburbura* cult, which remained the spiritual focus of the community until the advents of Islam. Every year, Barbushe presided over a ceremony at the shrine during which the spirits informed him of the events of the next year and beyond. It was at one of such occasions that he informed his people of the arrival of the Bagaudawa who would take over the political authority and establish a dynasty.

The Bagauda family was believed to be immigrants of Semitic descent. The Bagaudawa conquered the inhabitants of Kano and transformed it into a state with centralized authority. They united the several communities under their kingship, with the *Sarki* (King) as the ruler (Mohammed and Yakubu, 2010: 3). There was also the Jihad of Usman Dafodio which conquered, took over and established its own dynasty which is still in existence till date. Also, the British conquered and placed Kano under colonial rule in 1903 until Nigeria gained independence in 1960. Since the establishment of Nigeria, Kano has been transformed politically and economically. Politically, it has been transformed from an Emirate to a Province, then to a state in 1967. Kano has had its share of crisis but has never experienced the onslaught on the police like it did since 2007 till date.

Data Presentation and Analysis

Result I: Background

For the first time in the history of the Police, a study of this nature was carried out with the aim of advocating for the rights of the widows of policemen who died as a result of the insurgent activities in Kano. The widows met with

researchers. Also present were two policewomen attached to the Police Officers Wives Association (POWA), at the POWA office, Bompai Police Barracks. The widows initially were reluctant to talk because, according to them, many people had been coming to ask them questions and promised helping or coming back to donate things; afterwards, they were never seen again. Not just that, they exposed them to their in-laws wrath, because the people collecting information, would go to the media (NTA network) to show the whole world that they had come and donated various sums of money, which usually make their in-laws come asking for their share. They video-recorded and snapped them; as a result, it was not easy making them talk. We promised them that, this was different on that we would video them. Some were reluctant to take photographs. All the wives had children who are dependants.

Result 2: The Characteristics of the Respondents

The age bracket of the respondents was between 30 and 40 years, all of them were female residing in the Bompai Police Barracks and Hotoro Mobile Police Barracks. With regards to the occupation of the respondents, two were policewomen, one a teacher and three were self-employed while the remaining ones were unemployed. As it affects the educational status of the respondents, one was an NCE holder, three were school certificate holders, also three attended primary school and two were not educated.

Result 3: On their Wellbeing

How have you been coping since the death of your husband? All the wives responded that life has not been easy with them since their husbands died, leaving them with the burden of taking care of the children alone, with nobody except members of their churches (for Christians) Some said they were just managing petty businesses. The ones at the Bompai Police Barracks complained about the manner the police authority has been harassing them to leave the barracks. Thus, most of them have left to their villages. The Police women suffer harassment, too. All of the interviewed women said that none of their husbands' families or friends has assisted them in any way. Rather their husbands' families have been troubling them; some have collected the properties of their late husbands thereby leaving them with the children.

Result 4

Have you received your husbands' benefits from the Nigerian Police Force? Six out of the nine interviewees said that they have received only the burial rite allowance and Contributory Pension Scheme money. One complained that she has not received the pension scheme money, while two complained that they have not received anything at all, i.e. both the burial rite and pension money have not been paid to them. They further said they did not know whom or where to turn to, that the Police keep promising them and that they are looking forward to it. When the pension money was finally ready, they

were asked to pay between N15,000.00 – N30,000.00 by the officer-in-charge and that some of the widows were asked to sleep with the officers before they could access their husbands' money. However, there was a positive result here, as one CSP, whose name was not mentioned, was able to help the widows to track the corrupt officer who was consequently dismissed.

Result 5

Have you received assistance from the Kano Police Command? We have not received any assistance from the command except the CSP who came to our aid when the officer-in-charge wanted to take bribe from us. They want us to pack out of the houses we occupy at the barracks, they want us to leave, that is why most of us have left even though they have not paid our late husbands' benefits. At the Hotoro Mobile Police Barracks, the widows are still there with the aid of the second-in-command (2IC), who is protecting them to stay until the benefits of their husbands are paid. Also, the Deputy Commissioner of Police helped the widows to collect their cheques for their late husbands Contributory Pension Fund, despite the fact that the Officer-in-Charge refused to pay them until the widows bribed him or meet him at a designated hotel.

Result 6

In January 2014, the Inspector General through the Commissioner of Police gave you some relief items and some of you requested that if you could be employed even as cleaners in the police, it would go a long way to alleviating your suffering. Have you been given such opportunity because the IG promised to look into it? We have not seen nor heard from him again after that. Even some women that were chosen to go to Abuja were not widows. We are on our own.

Result 7

If you are given your husbands' benefits, will you still remain in the barracks, especially those of you that are not policewomen? We will not. It is only the benefit we are waiting for. Even if they give us today, we will leave, because living in the barracks remind us of a lot of things. We don't have a place to go to even in the villages because our husbands did not built houses of their own. If given the benefits, we will use it to start life afresh with our children. The people in the barracks are hostile to us.

Result 8

Has POWA assisted you in any way? POWA does not exist. We have never seen them even during the period of our mourning; they did not come to condole us, not to talk of assisting us.

Result 9

How is your relationship with other serving policemen's wives like?

We don't want to talk about this, please. You see us and our children; we are like outcasts in the barracks. They don't want to associate with us, as if we are the cause of our husbands' deaths. Well, it's not their fault. Even our late husbands' friends, who are still alive and serving, are the ones turning around to ensure that we are driven out from the barracks. When they see us, they pretend to be making calls, thinking we will ask them for anything. But one thing, nobody knows tomorrow. Police don't like themselves.

Result 10

Do you belong to POWA? No, POWA is for serving officers' wives. But we have Police Wives Association (PWA), which is for the wives of inspectors and other lower ranks, but it is not functioning, too.

Result 11

Are you your husbands' next of kin? Yes we are, together with one of our children.

Result 12

Would you allow your children to join Police? God forbid. For what? It is better they are load carriers than being police. Can't you see how people curse and disrespect them? As you see the police outside, that is how they are in the office and barracks, too. Look at other security agents, they are respected and they care for the welfare of their members, but police very greedy and selfish. Nobody I know will join police again. They don't like themselves at all.

Result 13

Would you allow your daughters to marry Policemen? *Na* curse? We will never, please.

Result 14

What advice do you have for the Nigeria Police? The first person said she does not have any advice to give them because they are just too wicked even though she works with them. They don't love themselves. Another person said the advice she would give them was that they should look at the way other security agents operate and follow suit. Other security agencies love themselves and care for the wellbeing of others, but the Nigerian Police only wait for something to happen to one of them so that they would take advantage of such. Others keyed into what these two said.

Key Informant Interview Report/Result
The Commissioner of Police

I met the Commissioner of Police on 30/5/2014 to brief him on the outcome. He promised meeting me again. On June 17th 2014, we met and he promised meeting with the widows for onward pursuit of their husbands'

benefits. He wondered why up till now they had not paid the benefits and that the police was not supposed to ask them to leave the quarters without payment of their benefits. He further said he was not aware of the condition the widows were passing through. He said he would send the provost to go to all the police formations to ask all the widows to come to meet him at Bompai Police Command. He then asked me come at a later date. He asked me to give him about two weeks.

On July 3rd 2014, he was absent so I went back on July 17th 2014. This time he told me he had a lot in his hands and that he was not the one to be running after the women; that if they needed help, they should come and not him going to them. I reminded him of his promise of sending the Police Provost to police formations; he told me that they were busy now. I told him, “well, since it is like this sir, I met the AIG Zone One at a program on Police and Human Rights in Kaduna on 25/6/2014 and we discussed the issue. The AIG told me to meet him on the outcome of the meeting with the CP. It was then he told me that he and his wife were planning an empowerment program for the widows. He also told me, since I am interested in the widows' case, I should look for them and come along with them since they don't want to come alone”.

Meeting With the AIG Zone 1 Police Kano

The researchers met the Assistant Inspector of Police in a workshop organized by Justice for All (J4A), a DFID program on Police and Human Rights Violation on the 25/6/2014. I discussed the issue with him. He told me that they had all received. I then told him of the study we had conducted, that I had met the widows and they told me that, they had not received their husbands' benefits. He then told me that, when I met the commissioner, I should let him know the outcome. I called him on the 17/7/2014 and I got an appointment to see him on 21st July, 2014. On the said date, as I was about to go I called him again, but he said he was down with Malaria.

Summary of the Major Findings

From the research carried out, it will be stated that the widows of policemen who died as a result of insurgent actions were faced with many problems. This indicates that the rights of these women have been violated by the Nigeria Police Force that is supposed to comfort and protect them. One of the findings are psychological in nature. As a result of the demise of their husbands, the women are forced to leave the barracks without getting their late husbands' entitlements, thereby making them vulnerable and displaced. Because of this, many of them have been traumatized. This has led to some of them to develop high blood pressure. From the research result, it is clear that the Nigerian Police has not lived up to expectations of its responsibilities. This is because for more than two years, the Police have not paid the families of policemen who died as a result of the insurgent actions their husbands' entitlements. This has led to most of the children of the dead policemen to drop

out of school and the general welfare of the families is not taken care of.

The widows and children of the dead policemen are on their own without anybody not even their relatives, friends and colleagues of their late husbands caring for them. In most cases, the relatives of their late husband came to pack whatever the late policemen left behind. Worthy of note is issue of sexual molestation. The widows encounter sexual harassment from their late husband's colleague who demand for it or make sexual advances on the widows under the pretense of intended assistance.

We also discovered that there are a few good officers who are helping and have helped the widows in one way or the other when no one seems to be there for them. For example, the second-in-command of the Hotoro Mobile Police Barracks insisted that the women should not be driven out of the barracks until the entitlements of their late husbands are paid. Also, the Deputy Commissioner of Police assisted when the officer-in-charge refused to give the widows cheques for their late husbands when contributory pension scheme came out.

Conclusion

The 2012 insurgent attacks targeting many police formations in Kano led to the loss of the lives of many policemen, leaving behind wives and children. Ever since the deaths of these policemen, the wives and children have been left at the mercy of God with the Nigeria Police Force whom they served diligently till they met their death showed no concern regarding the plight of their wives and children.

It was discovered in this research that the widows till date have not received their husbands' benefits. Despite this, the Police authority has been threatening them to vacate the apartments at the barracks. The most worrisome thing is that, two weeks after the burial of the policemen killed, the police started harassing the widows.

The worst is that even the policewomen among the widows also face the same treatment. One can see clearly the prevailing gender-based violence. Even when the money from the contributory pension scheme was released, the widows were asked to pay between N15, 000.00 to N30, 000.00 or those who could not afford such amount, were asked to meet the Officer-in-charge of issuing the cheques at a hotel. At times when these widows and children are in serious problems, when they meet any officer, the officer will try to take advantage of them by demanding for sex.

We can also see the insensitivity on the part of the Commissioner of Police in Kano. Most of the children are out of school and feeding their families is a big problem. The way they reacted to interview questions indicated that they have serious psychological problems and most have developed high blood pressure. To compound their problems, the families of their late husbands don't care about the wellbeing of these wives; all they are after is their properties. Whenever they heard that any money is paid, the relatives rush to demand that

such money be given to them and if the widows fail to do so, these relatives would curse and abuse them.

It is unfortunate that the Police cannot protect their own, this is because, the rights of these women as entrenched in the Nigerian constitution have been violated severally. Yet, no one is there to fight for their cause, not even the Nigeria Police whose mandate it is to protect the lives and properties of the citizens.

Recommendations

It is, therefore, recommended that the following should be done:

- a. Advocacy visit by Civil Society Organizations should be paid to the high ranking police officers and the Police Service Commission with the aim of ensuring that the benefits of these widows are paid without delay and future occurrence is averted.
- b. Continuous monitoring until the widows receive their benefits and in case of any harassment, the officers concerned should be reported to either the highest ranking officer at the command, Police Service Commission or Human Rights Commission, etc.
- c. The Civil Society Organizations should find a way to enlighten the serving policemen to empower their wives by training them in some trade or serving policemen should send their wives to school because anything can happen to the serving policemen anytime, especially with increasing insurgent activities. If anything happens, their wives can stand on their own.
- d. The Nigeria Police should learn best practices; they should learn from other security agents on how best to treat the bereaved families of police officers.
- e. The Nigerian Police should identify the bad eggs among them and sanction them, while the good ones should be rewarded. This will discourage and encourage respectively other officers in the course of their service.

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CHAPTER SEVEN

Human Rights Violations in the Context of Violent Insurgency in Plateau State

Emmanuel Ande Ivorgba,

Introduction

Plateau State is one of the thirty-six states that make up the Federal Republic of Nigeria. The state derived its name from the Jos Plateau, the ubiquitous and predominant geographical landscape in the Middle Belt of Nigeria. It is greatly blessed with the presence of undulating highlands characterized by hills, ranging from 500-1600 metres above sea level, as well as artificial hillocks and mining paddocks dumps. Roughly situated at the center of the country, Plateau State is the twelfth largest state of Nigeria (Blench, 2003). Its capital is Jos. The state has at various times been celebrated as Nigeria's "Home of Peace and Tourism", an image that has been fractured in recent years by Muslim-Christian clashes. It has an approximate human population of around 3.5 million and an area of 26,899 square kilometres. It is located between latitude 80°24'N and longitude 80°32' and 100°38' east. The climate on the Plateau is semi-temperate with temperatures ranging from 18 °C (64.4 °F) to 25 °C (77.0 °F) (Frigof, 2005). The state is named after the picturesque Jos Plateau, a mountainous area in the north of the state with captivating rock formations. Bare rocks are scattered across the grasslands, which cover the plateau. The altitude ranges from around 1, 200 meters (about 4000 feet) to a peak of 1, 829 metres above sea level in the Shere Hills range near Jos. Years of tin mining have also left the area strewn with deep gorges and lakes. Though situated in the tropical zone, a higher altitude means that Plateau State has a near temperate climate with an average temperature of between 18 and 22°C. Harmattan winds cause the coldest weather between December and February. The warmest temperatures usually occur in the months of March and April during the dry season. The mean annual rainfall varies from 131.75 cm (52 inches) in the southern part to 146 cm (57 inches) on the Plateau (Choji, 2007). The highest rainfall is recorded during the wet season in the months of July and August. The state makes it the source of many rivers in northern Nigeria, including the Kaduna, Gongola, Hadejia and Yobe Rivers.

Plateau State has been adjusted to its present borders many times. The British began to exert colonial control of Nigeria in the early 20th century. At that time, much of Plateau State was part of Bauchi Province. In 1926, Plateau Province, made up of Jos and Pankshin Divisions, was carved out of Bauchi. In May 1967, Benue and Plateau Provinces were merged to form the larger Benue-Plateau State. At this time, Nigeria had twelve states. Following the civil war, Benue-Plateau State was one of the several large states which were further split up. Under the military administration of General Yakubu Gowon,

the country was further divided into nineteen states in 1976 and Plateau State was created from Benue-Plateau, covering the area of the original Plateau Province. In 1996, Plateau State was further subdivided to create Nasarawa State, which was carved out of the western half of Plateau State by General Sani Abacha's military regime.

The Jos Plateau is home to the ancient Nok culture, known for its remarkable terracotta artwork. Tin mining activities began in 1902 under the British and have continued to the present day. After the British colonization of Nigeria, Jos Plateau became a mining region and one of the most important tourist destinations in Nigeria, but this became threatened in the early 21st century by a new conflict between Christians and Muslims as a result of tribal and political differences between the inhabitants of the Jos Plateau. Plateau State is divided into chiefdoms and emirates, each encompassing ethnic groups who share common affinities. Leaders of the chiefdoms are elected by the people from amongst several contestants who may or may not be related to any past chiefdom leaders, while succession to the position of an emir is hereditary. In 1976, Plateau State had 14 Local Government Areas (LGAs); new LGAs were added in 1989, 1991 and 1996, bringing the total number of the present LGAs in Plateau State to 17. Plateau State is home to over 60 ethno-linguistic groups (Barbour *et al*, 1982). Most of the plateau's languages are in the Chadic family (Isichei, 1982), which is part of the Afro-Asiatic family. Some of these include the Berom, Afizere, Amo, Anaguta, Aten, Bogghom, Buji, Challa, Chip, Fier, Gashish, Goemai, Irigwe, Jarawa, Jukun, Kofyar (comprising Doemak, Kwalla, and Mernyang), Montol, Mushere, Mupun, Maghavul, Ngas, Piapung, Pyem, Ron-Kulere, Bache, Talet, Tarok and Youm. These ethnic groups are predominantly farmers and have similar cultural and traditional ways of life. Others include the Hausa, Fulani/Kanuri, Igbo, Yoruba, Ibibio, Annang, Efik, Ijaw and [Bini](#), etc. Each ethnic group has its own distinct language, but as with the rest of the country, English is the official language in Plateau State. Hausa is also a common medium of communication and commerce, as is the case in most parts of the North and Middle Belt of Nigeria. Plateau State's unique geographical features and numerous ethnic groups make it a mosaic of socio-cultural activities in Nigeria.

The past decade since 2001 has seen recurrent violent crises with attendant human rights challenges across the state in the urban and rural communities. The dominant discourses in the conflicts center on political exclusion on the basis of ethnicity and religion, on the one side, and fears of religious and cultural domination, on the other. A key issue in the conflicts in Plateau State is the relationship between the state and different sections of the citizenry. Thousands of human lives have been lost as a consequence, including extensive damage to property and a general set back in the development prospects of the state. This persistent violence, which also constitutes the basis for the current state of violent insurgency in the state, has mainly been along religious lines, between Muslims and Christians, but ethnicity also has a central

role in the conflicts. There are also considerable political interests at stake. Beyond the capital city of Jos, the violence has now extended and affected some rural areas in Riyom, Barikin Ladi, Wase and Bokkos, etc where hundreds of people have been killed in their sleep in villages, on their farmlands, or while tending cattle. There have been massacres in the old mining settlements on the plateau and in the rural areas, widespread violence between local farmers and Fulani herdsman. In some areas, valuable dry-season farmland has changed hands, with Hausa and Fulani farmers being forced off the land (Blench, 2004). Much of the violence is said to be politically inspired and xenophobic rather than arising out of competition for land.

Over the last decade, the crisis over 'indigene' rights and political representation in Jos, the Plateau State Capital, has developed into a protracted communal conflict with attendant negative consequences on the socio-economic, cultural and collective existence of the people of the State. An estimated 7,000 people have been killed and property worth billions of naira has been destroyed since late 2001, when the first major violent crisis erupted in Jos in more than three decades. Almost thirteen years later today, the heavy presence of military and police forces to ensure a fragile calm is a constant reminder and testimony to the fact that the grapes have truly gone sour. Tensions between ethnic groups rooted in the allocation of resources, electoral competition, fears of religious domination and contested land rights have amalgamated into an explosive mix. The presence of well-organized armed groups in the urban and rural areas, the proliferation of weapons and the sharp rise in gun fatalities all point to the real risk of future large-scale violence. The 2001 Jos riot claimed at least 1,000 lives (HRW, 2001). The killings came to a halt only when the federal government declared a state of emergency in 2004, after about 700 people had been killed in an attack on the town of Yelwa in southern Plateau State (HRW, 2005). Clashes between Muslim and Christian youths erupted again in 2008 in Jos and in 2010. The human costs of these have been immense and completely overwhelming. The number of internally displaced persons since 2001 peaked in 2004, with up to 220,000 people displaced (IRIN, 2005). Several residential areas and business premises in Jos have been burnt and reduced to ashes. Violence and displacement have reshaped Jos and many rural settlements. As neighbourhoods become religiously segregated, 'no-go areas' alter patterns of residency, business, transportation and trade. The violence in Plateau State is no longer sparked only by deliberate political instigation during election times. In fact, it is on record that while Plateau State remained calm during the April 2011 national and gubernatorial elections, neighbouring Kaduna, Bauchi and other northern states were rocked by violent protests. But in Jos, small-scale reprisal and revenge killings have exploded since 2010.

The crisis in Plateau State is multi-faceted and multi-dimensional. Brig. Gen. Henry Ayoola, the Commander, Special Task Force for Peace in Plateau, blames this on deep-seated animosity and mutual fear of domination.

According to Brig. Gen. Ayoola,

...the violence is concisely centred on politics and premised on the struggles and desire to control resources. There are perceived fears and threats of domination with the locals feeling that there is a deliberate attempt to dominate them. They have lived together for long with the herdsmen, but they feel that the herdsmen are no more willing to subject themselves to the local authorities and this is why we have the persistent clashes (News Agency of Nigeria, July 02, 2013).

Some have also argued that the violent crisis in Plateau State is the outcome of inequalities, injustice (perceived or real), deprivation and the lack of development. But, for whatever reasons, it certainly poses so many challenges to human survival. It poses great threats to inclusive development and human security. The human cost of the violence is immense. Almost weekly, women and innocent children are murdered in their sleep by gunmen with reckless impunity. Thousands of citizens have had their farmlands and sources of livelihoods destroyed.

Several studies have been conducted, especially to identify some of the remote and proximate causes of the recurrent violent conflicts in Jos, Plateau State. One of such studies described Plateau State as the most ethnically diverse state in Nigeria after Adamawa (Alubo, 2006). Korb (2011) and Osaretin (2013) also identified religion, ethnic plurality and identity-based complexes as contributing factors to the crisis, as well as examined the political and socio-economic implications of the crisis on the citizens. However, no previous study on Human Rights Abuses in the Context of Violent Insurgency in Jos, Plateau State, was found.

Insurgency is the organized use of subversion, sabotage, political, economic and psychological actions and violence to seize, nullify or challenge the political control of a country or a geographic area, including its resources. The study considered insurgency as a crime and a gross violation of Human Rights. Insurgency is a crime against public order. It is a pattern of internal disturbances and tensions that poses serious challenges to maintaining public safety and public order. It can usually result in serious threats to human life and the safety of a nation or a state. Insurgency includes, but is not limited to, confrontational acts of violent struggles between groups, revolts against the state, etc. In these situations, the authorities in power call upon extensive police forces or even the armed forces to restore internal order.

Plateau State is located in the North-Central Zone of Nigeria and forms part of the middle-belt (Higazi, 2011). The major ethnic groups in Jos are the Berom, Anaguta and Afizere, regarded as indigene groups in Jos and are predominantly Christians; other groups which are often referred to as settlers

are the Yoruba, Igbo and Hausa. The Hausa refer to themselves as Jasawa (people of Jos) to distinguish them from the Hausa/Fulani in other states of the Nigerian federation (Krause, 2011). The Nigerian National Census of 2006 showed that Plateau State had as at then a total population of 3, 178, 712 (Nigerian Census, 2006). The state has 17 Local Government Areas. Jos, the state capital, is divided into three Local Government Areas: Jos North, Jos South and Jos East. Krause (2011) noted that, according to the 2006 Nigerian Population Census, Jos North had, as at then, a population of 429,300 people; Jos South, 306,716 and Jos East, 85, 603.

Before its descent into violence, Jos was regarded by both foreigners and Nigerians alike as a peaceful settlement with a temperate climate of magnetic attraction (Ambe-Uva, 2010; Higazi, 2011; Best, 2007). While the serenity of the place lasted, it was reputed as the “Home of peace and tourism”. Today, however, the city is being mockingly referred to as the “Home of pieces and terrorism”. Over the past decade, at least 4,000 people have been killed in Jos and smaller cities and villages in Plateau State (Krause, 2011). There has been extensive damage of property, and violent conflicts in the state have taken toll on its developmental prospects. But Jos, the state capital, appears to be the epicenter of much of the insecurity and the worst site of violence in the state (Higazi, 2011). Episodes of mass killing and the destruction of lives and property seem to have started from 2001 and continued to 2010, according to Higazi (2011), but after 2010, there have been quite a number of episodic violence till date. Reason for this has become a subject of several editorials and great debates.

Some of the earliest cases of ethnic violence in colonial Nigeria occurred in Jos. In 1932, an ethnic riot nearly erupted following rumours that the Hausa had planned to appropriate Europeans' property and that “indigenes” were preparing to drive out the Hausa and revert to pre-colonial, political administration. However, in 1945, the Hausa and the Igbo rioted for two days following a market dispute. Over the years, the “Jos Crises” extended to other parts of Plateau and the State witnessed inter- or intra-ethnic tensions, between the Ron and Mwaghavwal communities in Bokkos and Mangu LGAs, Attakar and Berom communities (in Barikin Ladi and Riyom LGAs), Hausa and Berom Communities in Gyero Village in Jos South, Gbaggi and Agato Communities in Toto LGAs, etc. (Sha, 2002).

Between 1994 and 2008, Jos has witnessed violent conflicts of differing dimensions, but the last major crisis was that of January 17 and March 7, 2010 (Onuoha *et al.*, 2010). Since 2010, there have been persistent incidences of secret killings and night ambushes in different parts of the state and casualties have been on both sides (the indigenes and the Hausa). Countless churches and Mosques have been razed and hundreds of lives lost to the crisis in the process.

The appointment of a Hausa candidate as the Chairman of the Jos North Local Government Council, which was created in 1991 by the military government of General Ibrahim Babangida, resulted in a major conflict in Jos

in 1994, when the indigenes and the Hausa group engaged in a violent confrontation. There have been suspicions that the then military regime of General Babangida created the Jos Local Government to satisfy the interest of the Hausa population in Jos North. It was, therefore, not surprising that the violence immediately took on ethnic and religious colouration. A minor incident in 1998, between a Berom and Hausa man, degenerated into what became popularly known as the Bukuru Gyero road fracas, resulting to violent conflict, the destruction of property and loss of lives (Egwu, 2004). Between 2001 and 2004, there were about 63 conflicts with ethno-religious undertones around Jos and other parts of Plateau State. In September 10, 2001, some Hausa/Fulani group were alleged to have attacked the Barikin Ladi Local Government Area and killed 12 people. This was followed by another violent conflict on February 24, 2004 in which over 150 houses were burnt and more than 265 people killed. The violence in Yelwa on May 3rd, 2004 was so destructive and devastating to the extent that the then Federal Government led by General Olusegun Obasanjo declared a State of Emergency on Plateau State on May 18, 2004. Elections into the Local Government Councils were conducted across Plateau State in November 2008. However, the conduct of the election in Jos North was disputed and this resulted in renewed mass violence in Jos, leading to the deaths of over 700 people within just two days (Higazi, 2011). Military and Police intervention was slow and so hundreds of houses and other properties worth millions of naira were destroyed in the affected areas, with churches and mosques also not spared (Higazi, 2011).

Another round of bloody violence broke out again in Jos on Sunday 17, January 2010. This was remotely attributed to the desire for revenge or retaliation by certain groups as compensation for the casualties suffered during the November 2008 bloodbath. It was surely, a reprisal attack. The immediate cause was connected to a man who had returned to rebuild his home and was prevented and subsequently attacked (Onuoha *et al*, 2010). The crisis started at the Jos Jarawa area of Fraka district, near Dutse Uku and later spread to Angwan Rogo, Bauchi Road, Angwan Rukuba and later to Jos South. At least 300 lives were lost and thousands wounded (*Thisday*, 2010; Gofwen, 2011). Jos was rocked again by violent conflict on March 7, 2010, during which hundreds of Fulani herdsmen invaded three Christian villages of Dogo Nahawa, Ratsat and Zot at midnight, killing more than 500 people who were mostly women, children and the elderly. The attack was said to be another reprisal by the Hausa/Fulani ethnic group over the January 2010 incident, which was claimed to have led to the massacre of many Hausa/Fulani Moslems (Onuoha *et al*, 2010). It was indeed bloody and heart-breaking as people-women, children and the aged were buried in mass graves. Between August and September of 2011, more than 150 people lost their lives, with about 50 recorded in a week. Victims of the gruesome killings included pregnant women, children and an entire family. The sudden upsurge of violence in this particular period was also accompanied with regular “silent killings”

(ICG, 2012). Three (3) suicide bombings rocked Jos City between December 2011 and March 2012 which *Boko Haram* was suspected to have orchestrated. The first on Christmas Day 2011 claimed about fifty lives mostly in the churches for in the attack (ICG, 2012).

There is a persistent general sense and feeling of a settler-indigene conflict in Plateau state. The predominantly Christian Middle Belt of Nigeria, noted for its long history of struggle against deliberate attempts by the Muslim-dominated Far North to subjugate it, have, therefore, consistently sought to reclaim their rights through politics of reverse discrimination against their perceived oppressors. On the other hand, the Hausa-Fulani remain steadfast in their claim to authentic ownership and indigeneship of especially Jos North. Importantly, because the settlers are predominantly Muslims and the indigenes mostly Christians, this collective struggle over land ownership, political rights and control and economic wealth has found practical expression in ethnic as well as religious colourations. This is further compounded by the fact that, of all the settler groups, only the Hausa-Fulani lay a proprietary claim to Jos. So as violence recurs, spatial polarization and segregation accentuate social and political divisions; people become more conscious of their sub-national solidarity and allegiances and are very forthcoming about expressing them.

Plateau State erupted again, following the People's Democratic Party (PDP) congress held on May 2, 2012. On June 1, violence broke out in Yelwa-Shandem between "indigenes" and Hausa settlers and extended to four local government areas in the Southern Senatorial Zone. In early February 2004, violent clashes between the Mavo and Tarok and the Minda and Kparev claimed several lives. A cow theft on February 24 precipitated a gruesome massacre of some 73 people, mostly women and children, in a single day in Yelwa, Shendam Local Government (Orimolade, 2004). Four armed policemen at Tunga Village on Yelwa-Shendam Road were allegedly killed by insurgents (Abdulsalami and Akhaine, 2004). The population of Tarok Village in Langtang South Local Government Council was completely displaced by alleged insurgents on April 11, 2004 (Abdulsalami and Akhaine, 2004), with deaths reported at 1304. On April 24, 2004, ethno-religious violence broke out in Kanam and Shendam and on 1 May 2004 another ethno-religious crisis claimed 650 lives while about 250 women were abducted by a suspected militia group. In the same month of April 2004, more than 100 persons were reportedly killed in hostilities in Yelwa Shendam Local Government. This was said to be a reprisal attack on Yelwa villagers following a similar onslaught on Kawo Village, leaving in its trail several casualties and damage, including the destruction of over 1,000 homes and three mosques. Dead and mutilated bodies were left littering the streets like pieces of paper blown away by the wind. This unfortunate incidence continued and spread to other parts of the state. On May 18, 2004, five people were killed in Sabon Gari Village of the Kwan Pan Local Government Area. Ethnic militias from Atir and Azara Villages in neighboring Nasarawa State were said to have carried out this attack, killing, maiming and

vandalising anything in sight. The crises intensified in 2004, swallowing up Local Government Areas and towns in Yelwa Shendam, Lantang, and Wase; resulting in reprisals in neighbouring states of Kano and Nassarawa, where more than 1,000 persons lost their lives in Kano alone. Churches, mosques, markets and homes were destroyed in reprisals. It is this frequency and intensity of the violent conflicts that compelled the then President Obasanjo to declare a State of Emergency and suspend the then Governor, Chief Joshua Chibi Dariye, and the Plateau State House of Assembly to safeguard the lives and properties of Plateau State residents (Daniel, 2004; Ologhondiyen and Kola, 2004). A retired Major General, Mohammed Chris Ali, was appointed to administer Plateau State. In November 2008, the City of Jos witnessed renewed ethno-religious violence, following local government elections in Jos North Local Government Area.

It has also been reported that a Muslim whose property had been burned during the electoral unrest attempted to reclaim and rebuild it at Nasarawa Gwom in Jos North on January 17, 2009. This degenerated into another round of violent conflict and killings (Isa and Akpabio, 2010). Though there have been several versions of this same incidence, the violence resulted in several casualties and deaths. As with the other crises, people responded violently in Pankshin. Over 300 deaths were recorded afterwards. The Berom villagers of Dogo Nahawa, Zot, Rasat and Kutgot in Jos South Local Government Council witnessed a horrible carnage as armed men killed and maimed hundreds of people in a pre-dawn attack on 7 March, 2010. Over 500 bodies – mostly women, children and the elderly, were given a mass burial following this attack. This was closely followed by another pre-dawn attack in October 26, 2010 in Rawhinku, a remote village in Bassa Local Government, during which six family members lost their lives. In November 2010, *The Nation Newspaper* reported the deaths of two people in the Riyom Local Government Area by assailants on a motorcycle. On November 25, three people were shot dead in the Kwata District of Jos South Local Government Area (Isa, 2010).

As residents of Jos and neighbouring towns and villages, especially the Riyom and Barikin Ladi Local Government Areas live constantly in fear of the unknown; their problem is further compounded by increasing cases of violent crimes, including armed robbery. The Plateau State Police Command has attributed this sharp increase in criminal activities to the high number of weapons and guns in the hands of citizens.

While violent conflicts in this part of Nigeria are not new and are often followed by conflicting accounts of what happened, one needs to understand the historical basis of these violent conflicts. Some have argued that the foundation for the present ethno-religious crisis was laid by the British through their amalgamation policy, by which they brought different ethnic and religious people together without any consultations with the various indigenous communities and ethnic groups, which they met on ground on how best to co-exist and manage human and material resources. This is said to

account for the current situation nationally, whereby people who have lived for more than a century in certain locations are still being referred to as "settlers". In view of the forgoing and in an attempt to objectively interrogate and facilitate a better understanding of insurgency in Plateau State and its attendant human rights abuses, the study attempted to answer the following questions:

1. What are some of the structural causes of conflicts in Jos, Plateau State?
2. To what extent has insurgency contributed to human rights violations in the Jos conflicts?
3. What needs to be done differently in order to prevent further human rights violations in Jos, Plateau State?

The key objectives of the study were to:

- a. Examine and document specific cases of Human Rights abuses and violations resulting from the violent insurgency in Jos, including instances of denial of the right to freedom of religion and
- b. Highlight the various positive Government and community-based efforts that contribute to the restoration of peace in Jos and Plateau State in general.

This study, which examined and documented human rights abuses in the context of violent insurgency in Plateau State, is descriptive, explanatory and empirical, using primary as well as secondary sources for data collection and analysis. Primary data included semi-structured survey research techniques, such as specialized in-depth interviews and using self-administered questionnaires with a wide range of key informants, during face-to-face interactions with key stakeholders, including the media, the police, religious leaders, educators, students, women and youth leaders, etc. Secondary data was collected from various sources, such as books, journals, newspapers, websites, including media clips, etc. The study focused mainly on two LGAs in Plateau State, Jos North and Jos South, but also examined evidence from other LGAs, namely; Riyom and Barkin Ladi. These LGAs were selected due of their proximity to Jos North and Jos South, but also because they have also witnessed violent conflicts in the last five years or more. Specific cases of Human Rights abuses and violations from these areas were qualitatively examined and documented, including instances of denial of the right to freedom of religion, as well as highlighted the various positive State and non-state efforts that contribute to the restoration of peace in Jos and Plateau State in general.

Conceptual Clarification

Many insurgent groups use terrorism or acts of terror as a strategy for weakening the state or intimidate and cow the population into submission. Terrorism appears to be an effective instrument for the first phase of an insurgency as a way of establishing the control of a small region and of building support before moving on to the next stages. A dominant theory of insurgency

supporting this, which flourished in the 1960s and 1970s in Cuba under Che Guevara, was called Focoism. It emphasizes the ability of violence to create its own logic and win its own support. Like many of his contemporaries, such as Mao Zedong, Ho Chi Minh and Amílcar Cabral, Che Guevara believed that people living in countries still ruled by colonial powers or living in countries chained by a new form of economic exploitation, could best defeat colonial powers by taking up arms. Like other theoreticians, Guevara also believed that armed resistance needed to be built not by concentrating one's forces in urban centers, but rather through the accumulation of strength in mountainous and rural regions where the enemy's presence was weakest. This theory was formulated by French intellectual and government official Régis Debray, based on Ernesto Che Guevara's experiences surrounding his rebel army's victory in the 1959 Cuban Revolution. The central principle of focoism is that vanguardism by cadres of small, fast-moving paramilitary groups can provide a focus for popular discontent against a sitting regime, and thereby lead to a general insurrection. Although the original approach was to mobilize and launch attacks from rural areas, many *foco* ideas were adapted into urban guerrilla warfare movements by the late 1960s.

One of the best known theories of insurgency is the one advanced by Mao Zedong, who articulated the blueprint for practical insurgency. Specifically, Mao emphasized the great significance of winning the "hearts and minds" of the population, because the population provides the support and cover for the insurgency. Mao laid out three "phases" of insurgency, namely:

- 1 Political work, which involves working among the peasantry to win them over and build a base from which to operate.
- 2 Guerrilla warfare, by which the insurgents fight the state through harassments, even targeting communications and logistics. The objective of guerrilla warfare is not primarily to win territory, but to weaken the enemy while consolidating one's own power.
- 3 Conventional war: Once the enemy is weak enough and the insurgent has enough control to fight large-scale battles, the insurgent seeks to take control of the ground.

This study uses the Mao Zedong's Theory of Practical Insurgency, while also drawing inspiration from Karl Marx's Historical Materialism as both provide us the tools with which to unravel the underlying historical dynamics for the violent insurgency and the attendant human rights violations in Jos, Plateau State. Violent insurgency in Jos, Plateau State has very deep roots in the historical struggles and conflicts arising from political exclusion on the basis of religion and ethnicity, coupled with the fear of cultural intimidation and domination, on the one hand, and the relationship between the state and the different sections of the citizenry, on the other.

Historical Background

Violent conflicts in this part of Nigeria are not new and are often followed by conflicting accounts of what happened. However, one needs to understand the historical basis of these violent conflicts. Some have argued that the foundation for the present ethno-religious crisis and violent insurgency was laid by the British through their amalgamation policy, by which they brought different ethnic and religious people together without any consultations with the various indigenous communities and ethnic groups which they met on ground on how best to co-exist and manage human and material resources. This is said to account for the current situation nationally, whereby people who have lived for more than a century in certain locations are still being referred to as "settlers".

Conflicting and competing claims as to who Jos belongs to have immensely contributed to the prevalence of the violent conflicts experienced in the Jos Plateau. Over the last decade, the political crisis over 'indigene' rights and political representation in Jos, has developed into a protracted communal conflict affecting most parts of the state. The Hausa, for example, have consistently argued that they established and nurtured Jos into becoming a modern city without any help from any of the indigenous ethnic groups. During a speech he delivered at the Presidential Retreat on Peace and Conflict Resolution at the National Institute for Policy and Strategic Studies, Kuru, Jos, held from January 23-26, 2002, a prominent Hausa/Fulani Leader, Alhaji Inuwa Ali, the Turakin Jos states:

Historically, Jos is a Hausa settlement and this has been confirmed by Mr. Ames, a colonial Administrator who gave the population of Jos town in 1950 as 10,207, out of which 10,000 people were of Hausa/Fulani origin. Before the arrival of the British, the present location of Jos was a virgin land and the situation as could be seen today shows no concentration of Beroms or any of the tribes in the neighbourhood as being seen in the heartland of Jos town (cited in Best, 2007).

This claim by the Hausa is further given credence to by the naming of major streets and locations in Jos with Hausa names, namely Abba Na Shehu, Garba Daho, Sarkin Arab, etc. The Hausa also produced a total of eleven (11) chiefs who administered Jos up to 1947. Therefore, considering them as settlers and aliens in a place they have created, nurtured and administered, they insist, is completely an error of logic. The Hausa claim to ownership of Jos is, however, refuted by the indigenes who insist that they were never conquered by the Usman Dan Fodio Jihadist policy. The indigenes insist that the Hausa arrived at Jos only to work in the Tin Mining Industry after the British conquered the area and so cannot be considered as indigenes. It was after they had settled that they re-named those streets in Hausa names (Best, 2007).

The Jos crisis is the result of failure of the Nigeria State to privilege broad-based citizenship over exclusive indigene status and ensure that residency rather than indigeneity determines citizens' rights. The indigene principle gives certain groups control over power and resources in states or LGAs while others – who have migrated for different reasons – are completely excluded, even though, through their daily activities, they pay taxes and contribute to the economic growth and development of the area. This results in grievances and fierce political competition, which too often lead to violence. This principle was given constitutional force at independence in 1960 to protect the ethnic minorities from being submerged by the larger Hausa-Fulani, Igbo and Yoruba groups and preserve their cultural and political identity and traditional institutions of governance.

There is the ethno-religious dimension to the conflict. Violence between different groups of people, differentiated by ethnicity, culture, religion or language is hardly a new problem and has tragically claimed, and continues to claim, the lives of many thousands of people every year. This has been brought especially into focus by events on the Jos Plateau. Violence is likely when groups are partially separated and therefore overlap in their domains of desired authority. The heterogeneous nature of Jos and Plateau State in general has been identified as a key factor to the conflicts in the area. Because lines of ethnic identity quite frequently do coincide with religious affiliation, the conflict in Jos is also very easily interpreted as religious. While the indigenes are predominantly Christians, the Hausa/Fulani are mostly Muslims. The Hausa and Fulani attribute the causes of the conflict in the area to ethnicity, religion and their economic prosperity. The indigenes argue that such conflicts often arise when their farm crops are eaten up and destroyed by the Fulani cattle.

The crisis also has a political dimension. The creation of Jos North LGA in 1991 by the Ibrahim Babangida military government has often been interpreted by the indigenes as an attempt to give the Hausa/Fulani group some numerical advantage and domination in Jos North. During the military regime, the Hausa/Fulani were always appointed as administrators of the Jos North Local Government, a development which seemed to confirm the suspicions of the indigenes and thus pitched them against the Hausa/Fulani population. The Local Government elections of November 2008 sparked widespread violence in Jos North Local Government, following claims by the Hausa/Fulani that the election results were being rigged or manipulated to favour a Berom candidate who contested as the candidate of the ruling PDP. Also, the Hausa/Fulani have consistently viewed the Government of Plateau State with great suspicion and do not feel adequately represented.

Religion is also a pertinent, though a secondary factor, especially in Northern Nigeria. It reinforces underlying tensions and, over the years, has assumed greater relevance, following the return of democracy in Nigeria in 1999. Fierce and unregulated political competition characterized by ethnic

mobilization and violence, coupled with poor governance, economic deregulation and rampant corruption, have severely exacerbated ethnic, religious and regional fault lines. The notion of national citizenship appears to have been abrogated by both ethnicity and ancestry. According to Rev. Philip Dafes, Chairman of the Christian Association of Nigeria (CAN), Plateau State Chapter, the violence in Jos is more of religion in the sense that there has been no political party office burnt or destroyed in the crisis, but several religious worship centers have been razed. Many Christian leaders, especially in Plateau State, see the Jos conflict as primarily religiously-motivated. The crisis to them is a deliberate attempt by the Hausa/Fulani Muslims to overthrow Christianity in Plateau, Islamize and impose the *Sharia* on the state by force. This suspicion is further confirmed by the fact that more churches have been targeted during such violent conflicts. In November 2008 alone, HRW (2009) reported that forty six (46) churches were vandalized and completely burnt, with several church leaders and clergies killed in the process. The situation has led to the blockage of major streets and roads on worship days as preventive measure against further attacks. Some messages and sermons by religious leaders in churches and mosques also contribute immensely and serve to fuel the conflict.

Poverty and youth unemployment are also said to be contributing factors to the persistent violent conflicts in the Jos Plateau. There is a continued deterioration of the status of the youth worldwide. Over one billion of the world population lives in poverty, facing daily the unacceptable conditions of hunger and malnutrition, disease, homelessness, unsafe environments and social exclusion. The majority of this population consists of young people, three quarters of them living in rural areas. Young people are constantly confronted with growing levels of unemployment, poverty, armed conflict, epidemic diseases, functional illiteracy and substance abuse - among other social and economic challenges – despite the global advances made in technologies, entrepreneurship development, medical research, leisure and recreation facilities. In spite of the tremendous progress made in basic education, inequity based on economic and social conditions continues to persist, leaving millions of children and young people out of school. The lack of opportunities and the growing rate of unemployment among youth have immensely aggravated tension, not only in Jos Plateau, but the rest of the country as well.

At the Press briefing on “The Nigeria Poverty Profile 2010”, the Statistician-General of the Federation, Dr. Yomi Kale, announced that poverty is on the rise in Nigeria with more than 100 million citizens earning less than \$1 per day, as the gap between the rich and the poor continues to widen. According to the Statistician-General, “It remains a paradox, however, that, despite the fact that the Nigerian economy is growing, the proportion of Nigerians living in poverty is increasing every year” (*Nigeria Trends*, February 13, 2012). Figures made available by the National Bureau of Statistics (NBS) indicate that in 2004 “Nigeria's relative poverty measurement stood at 54.4% but

increased to 69% or 112,518,507 Nigerians in 2010. This is against the background that 38.7% of this population is extremely poor. This is basically because agriculture and wholesale and retail trade, which constitute the largest percentage used in measuring economic growth, are not employment generating, as people farm for subsistence and retail trade are owned and run by families, thus not reducing poverty". The NBS Poverty Profile 2012 based on data up to 2010 of the population of North-Central Nigeria indicates a 61.1% relative poverty rate, 57.4% absolute poverty rate and 38.6% food poor. This is so ironical and unfortunate for a region with such generous land and agricultural endowments. Despite all the available resources abundantly embedded in the state, the rate of poverty and unemployment, especially among the youth, is quite alarming. This has become a driving force behind the prevailing crime rate in the state, such as armed robbery, cultism, alcoholism, smoking and drugs, including political thuggery and insurgency, etc. While delivering his speech on the occasion of the flag off of the "Tackling Poverty Together Project" Urban Transport Scheme at Government House, Rayfield, Jos on 24th February, 2012, the Plateau State Governor, Jonah David Jang, observed that "As a government, we acknowledge that poverty is a reality in Plateau State and affects us all. Poverty levels have risen from 25% in the early 1990s to between 60-70% in the millennium".

Data Presentation and Analysis

The focus of the study was Jos, Plateau State, Nigeria's "Home of Peace and Tourism". In recent years, the state has consistently experienced insurgency-related violent conflicts, with the attendant human rights abuses. Jos North and Jos South have been at the center of these conflicts. Primary data was obtained from seventy two (72) respondents, listed in Table 1 below, using specialized semi-structured survey questions and interviews. The respondents were aged between 18-75 years old, from urban and rural settings in Jos North and Jos South. About 46% of the respondents said they were married and had resided in Jos for a period of at least five (5) years, while 54% are still unmarried or single. Respondents were a good mix of Christians (50%), Muslims (45.8%) and those who said they practiced no religion at all (4.2%). Less than 40% of the respondents said they were either employed or employers themselves, more than 50% were unemployed, while a little less than 10% were students.

To capture the respondents' views on violent insurgency and its implications on human rights in Jos, Plateau State, simple survey questions were developed and administered (Appendix I). Each respondent was interviewed separately. The interviews lasted over a span of six months from January to June 2014. During the interviews, the respondents were asked a few questions relating to their age, marital status, religion and length of stay in Jos, violent insurgency in Jos and its causes and suggestions on the way forward. Each interview lasted between 30-45 minutes, though a few lasted longer, when

the respondents showed greater interest and willingness to share more. Notes were taken during interviews. The interview results were then carefully analyzed and tabulated to identify structural causes of the conflict (Table II), the extent of human rights violations (Table III) and suggestions on preventive measures going forward (Table IV).

Table I: The Number and Demographics of Respondents Interviewed

S/No.	Description	Religious Affiliation			Total Respondents
		Christian	Muslim	No Religion	
1	Religious Leaders	05	05	0	10
2	CSO/NGO Leaders	05	04	01	10
3	Youth Leaders	10	10	0	20
4	Traditional Leaders	01	01	0	02
5	Educators/Teachers	05	03	02	10
6	Women Leaders	05	05	0	10
7	Students	05	05	0	10

Table II: The Frequency of Structural Causes of the Conflict in Jos, Plateau State

S/No.	Description	Number of Respondents
1	Religious Fundamentalism	72
2	Poverty-unemployment	72
3	Indigene-settler dichotomy	28
4	Governance and corruption	61
5	Colonialism	27
6	Lack of access to Education/ land/resources	59
7	Ethnicity	72

Table III: The Extent of Human Rights Violations in Jos, Plateau State

S/No.	Description	Number of Respondents
1	Right to Life and burial	69
2	Political Participation	58
3	Denial of access to land and resources	47
4	Denial of Education/Scholarship Opportunities	59
5	Denial of freedom of worship	19
6	Denial of freedom of movement/residence	51

Table IV: Suggestions on Preventive Measures on the Way Forward

S/No.	Description	Number of Respondents
1	Space for all-inclusive political participation, to include minorities	71
2	Constitutional reviews/amendments with regards to citizenship-indigene rights	53
3	Poverty reduction through Job creation/skills devt.	72
4	Good Governance	72
5	Implementation of reports of previous Commissions of Inquiry, including prosecution and punishment of offenders	72

The results from the study revealed that majority of the respondents interviewed had witnessed, either directly or indirectly, one form of human rights abuses due to violent conflicts in Jos. Regarding Question 1 on the causes of the conflict, 100% of respondents said religion, ethnicity, poverty and unemployment were the major causes or factors, 38.9% said it was the indigene-settler issue, 84.7% said it was caused by corruption and lack of good governance mechanisms, 81.9% blamed it on the lack of equal access to land, resources and educational opportunities, while 37.5% attributed it to colonial influence resulting from the amalgamation of Nigeria without consultation with the ethnic nationalities.

Regarding Question 2 on the extent of human rights abuses due to the violent insurgency in Jos, 95.8% said the right to life had been violated the most, 80.6% thought it was the denial or closing of space for all-inclusive political participation, 65.3% said it was the denial of equal access to educational opportunities, 26.4% said it was denial of freedom to worship freely and openly, while 70.8% agreed it was the denial of freedom of free movement and residence within the city, generated by the fear of the unknown.

In response to Question 3 on what needs to change in order to stop or prevent further violent conflicts, 98.6% advocated the opening of the political space for equal and all-inclusive political participation, 73.6% said constitutional provisions relating to citizenship, indigene and settler issues should be carefully examined, reviewed and amended, while 100% recommended poverty reduction measures, good governance, arrests, prosecution and the punishment of offenders.

The findings indicate that majority of the respondents actually agreed with the findings of some scholars like Blench 2004, Isichei 1982, Higazi 2011, Krause 2011 and Best 2007 concerning the causes of the conflict in Jos, in terms of its plurality, including ethnic, religious and political fundamentalism, historical indigene-settler issues, increasing poverty and unemployment among the youth who constitute more than 65% of the population, corruption and governance challenges, etc. In terms of the extent of human rights abuses/violations and recommendation moving forward, the respondents also substantially collaborated the views of several scholars, already highlighted above.

Summary of the Major Findings

Systematic, widespread and gross human rights violations have been and are being committed in Jos, Plateau State. In some instances, the violations found entailed crimes against humanity. The main perpetrators are the citizens themselves who have turned against one another and act under the watchful eyes of their political and religious leaders. The gravity, scale and nature of these violations present a clearly very frightening spectacle. The particular nature and the overall scale of human rights violations in the State can be more easily understood through an appreciation of the nature of its historical

establishment, political system, ethnic identities and religious affiliations.

The Study investigated and documented a few of these human rights violations within the Jos North and Jos South Local Government Areas of Plateau State. These included abuses/violations on the right to life, including decent burial for the dead, concerns on political and economic rights violations and the right to education, citizenship versus indigeneship issues, among others. In 2010, angered by the persistent violent conflicts and the resultant human rights violations in Plateau State, the Socio-Economic Rights and Accountability Project (SERAP), a Nigeria-based NGO petitioned the International Criminal Court (ICC) to investigate human rights abuses and the potential for crimes against humanity. Even though the ICC acknowledged receipt of the petition and also indicated a commencement of investigations, through a letter by Louis Moreno Ocampo, the ICC's Chief Prosecutor dated November 5, 2010, the official findings of the International Criminal Court have not yet been publicized.

Violations of international human rights law constitute crimes under international law as defined by the Rome Statute of the International Criminal Court, for which the perpetrators may be held criminally liable on an individual basis. Although the inventory set out below includes serious violations of both human rights and international humanitarian law, it must be noted that the vast majority of the violations reported were committed in the context of domestic armed conflict or systematic attack directed against a civilian population, and can thus be classified as war crimes and crimes against humanity respectively.

1. Crimes against Humanity and Genocide

The early Sunday morning massacre of over 400 residents, mostly children, women and the elderly, of Dogo Nahawa, a small settlement in the Shen District of Jos South Local Government area, on March 7, 2010, was a genocidal act pre-planned and executed against the Berom by a group suspected to be Fulani. More than 75 houses were also completely burnt down in the attack. The then Plateau State Information Commissioner, Gregory Yenlong, confirmed that about 500 persons were killed in the attacks, which took place mainly in Dogo Nahawa, Zot and Rastat villages. According to a survivor, Musa Gyang, "We were woken up by gunshots in the middle of the night, and before we knew what was happening, our houses were torched and they started hacking down people". Though the cause of this unwarranted massacre of innocent human beings is still unclear, investigations show that this may not be unconnected with reprisals from Fulani herdsmen who have often complained about their cattle often been targeted in the event of any unrest in Jos. The attackers were said to have invaded the villages in the wee hours of the morning from *Bauchi State*.

Following the Dogo Nahawa massacre, a document was circulated in churches during Sunday service warning the congregation of planned suicide attacks on selected churches by 15 almajiris, who were said to have agreed to volunteer on suicide missions after being promised N20m gift each. The document entitled, "Unanimous Decision of Muslim Ummah in Northern Nigeria towards the Crisis in Plateau State," was not signed or dated, but has one, Alhaji Sanusi Ibrahim Das as conveyor. Eye witnesses interviewed by Human Rights Watch reported that the attacks were committed by men speaking Hausa and Fulani against the Berom. Civil society leaders in Jos also confirmed the killings and reported that the attacks were probably in retaliation for previous attacks against Muslim communities in the area and the theft of cattle from Fulani herdsmen. According to the Plateau State Police Spokesperson, Mohammed Lerama, "These attacks we see as reprisal attacks from the crisis in January". The Police confirmed that about 98 persons were arrested in connection with the attacks. *Previously*, on January 19, 2010, more than 150 Muslim residents were killed in an attack on the nearby town of Kuru Karama. After surrounding the small town, the attackers hunted down and attacked residents, killing many as they tried to flee and burning many others alive. Witnesses who visited the scene told Human Rights Watch that they saw bodies, including corpses of young children and babies, inside houses, strewn around the streets and in the pathways leading out of the villages.

These attacks have continued unabated in villages in the Jos South, Riyom and Barikin Ladi Local Government areas of Plateau State. On July 8, 2012, Senator Gyang Dalyop Dantong was killed along with Hon. Gyang Danfulani, then Majority Leader of the Plateau State House of Assembly and several others, during a mass funeral for about 20 people who were killed in a previous midnight attack by unidentified gunmen in Barkin-Ladi,. Hon. Simon Davou Mwadkwon of the House of Representatives was very lucky to escape with injuries. In a statement to Sahara Reporters on July 8, 2012, Senate Spokesman Senator Enyinnaya Abaribe deplored the "unnecessary bloodletting," saying, "We cannot continue this way. The death of Senator Dantong and other innocent citizens was a sad reminder of the current orgy of killings ravaging some parts of the country in recent times. The Senate is pained that the killings have assumed a frightening dimension and is worried that a gentle, unassuming and urbane lawmaker in the like of Senator Dantong would die in such a way while serving his people". These acts clearly indicate that some people, whatever their identities, no longer respect the sanctity of human life.

On May 20, 2014, two bombs exploded in Jos killing at least 118 people and injuring more than 56 others. The first bombing

occurred at the Terminus Market, and the second near a bus station beside the Jos University Teaching Hospital (JUTH) old site. Among those killed were about ten Medical Students of the University of Jos, including one Shekinah Barnabas, a student of Creative Minds International Academy, Dadin Kowa, Jos. *Boko Haram* had claimed responsibility for the attack.

Since its original formulation in Article 2 of the Convention for the Prevention and Punishment of the Crime of Genocide in 1948, the definition of the crime of genocide has not changed in international law. It forms a part of international customary law and, as the International Court of Justice recently recalled, that,

The norm prohibiting genocide was assuredly a peremptory norm of international law (*jus cogens*). "Genocide is understood as being the complete destruction of an ethnic, religious or political group. This destruction may take place by means of their physical liquidation (physical genocide) or by the slow suffocation of the group, by limiting or preventing births, for example through systematic sterilisation measures (biological genocide), or by the gradual elimination of ethnic and cultural characteristics (intellectual genocide).

Among the many acts prohibited under the definition of war crimes are those that constitute the core of the most serious human rights violations, in particular violations of the right to life, personal, physical and moral integrity and personal freedom and security, and, to my opinion, some of the human rights violations resulting from violent insurgency in Plateau State fall within this category.

1. Violations of the Freedom of Movement and Residence

All people are entitled to the recognition of inherent dignity and certain inalienable rights, which are the foundations of freedom and justice in the world, as specified in the Universal Declaration of Human Rights (1948). Freedom of movement is part of what constitutes the liberty of man, thus making it one of the most basic human rights. Article 13 of the Universal Declaration of Human Rights stipulates: "Everyone has the right to freedom of movement and residence within the borders of each State. Everyone has the right to leave any country, including his own, and return to his country". The right to free movement or the denial of it, within national and international borders, can have profound effects upon other basic human rights also outlined in the Universal Declaration of Human Rights and other treaties.

Without the right to leave one's home, an individual may be politically repressed, prevented from observing his/her chosen religion, prevented from enjoying the basic right to marriage or family life, or blocked from a job or an education that ultimately could enhance his/her quality of life. Thus, while free movement may seem on the surface to be a fairly minor and obvious human right, it actually is one of the most basic rights that in many nations around the world, when violated, results in numerous problems and cases of suffering.

A visit to major districts and settlements within Jos North and Jos South and a simple observation clearly reveals the discriminatory and segregated nature of the city. It is rigidly segregated with entrenched patterns of discrimination, deeply rooted in ethnicity and religion. This discrimination and segregation is also clearly reflected in political opinion. While discrimination exists to some extent in all societies, in Jos it has had a very significant impact on individual enjoyment of human rights. It influences most of the aspects of people's lives and remains a major means for the leadership to maintain control against perceived threats, both internal and external. While certain locations within the city are predominantly inhabited by Christians, the Muslims dominate some areas, and both will generally be afraid to walk into each other's dominated territories for fear of the unknown. A few areas, such as Angwan Rogo, Dutse Uku, Nassarawa, Filin Ball, Gangare, Bauchi Road, Yandoya, etc are Muslim-dominated areas, while others such as Rayfield, Hwolshe, Kufang, Rantya, etc, are predominantly Christian. This was hardly the situation in the past, where Christians and Muslims, indigenes and settlers, all lived together peacefully. That harmony has now been shattered by violent conflicts. If you visit Jos today in need of accommodation, one of the first questions people will ask to know is your tribe and whether you are a Muslim or Christian. This situation creates fear, doubt and suspicion and denies the people the right to choose where they want to reside in the city. Prince Lawrence Adetunde, a Christian, a mechanic and father of five, now residing in a two-bed room house at Riverside, Rantya Gyel, had to sell his five bedroom flat at a give-away price just to get his family out to safety. Mallam Bala Adamu, a bureau de change operator at Beach Road and Hill Station, claims that he was denied residence in Apata on the basis his being a Hausa man, even though he had money to pay for the required rent. He now resides in Angwan Rogo. Another Alhaji Yunusa Abdullahi, a resident of Bauchi Road and a trader in local fabrics at the Terminus Market, claims the dead among his "people" have been denied decent burial at the Jos North Cemetery since the 2010 violent conflict erupted because they are regarded as settlers. A further investigation reveals that the State Government has intervened in the matter and also taken positive steps to address the situation and

prevent another outbreak of violence by negotiating for an alternative burial ground around neighbouring Bassa Local Government. It is hoped that a peaceful and generally acceptable solution would be negotiated to prevent bloodshed.

1. Violations of Political and Economic Rights

Nigeria is a member of the Human Rights Council, and has ratified several United Nations (UN) human rights treaties, including the International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights. The UN International Covenant on Economic, Social and Cultural Rights, General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 3 January 1976, in accordance with article 27, recognizes in the Preamble the inherent dignity and the equal and inalienable rights of all members of the human family as being the foundation of freedom, justice and peace in the world. Political, economic and socio-cultural rights derive from the inherent dignity of the human person. Therefore, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights. The States have an obligation under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms.

The conflict in the Jos Plateau also has political and economic dimensions. As different groups continue to recruit additional allies to support their cause, the conflict has become increasingly complex. At the root of the conflict is the aggressive competition for political power and access to economic opportunities between “indigenes” and “non-indigenes.” Throughout Nigeria, groups considered “indigenes”, or the original inhabitants of an area, are granted certain privileges, including access to government employment, scholarships for state schools, lower school fees and political positions. To secure access to these privileges, individuals are required to have and produce an “indigene certificate”, which is granted by the local authorities. “Non-indigenes” or “settlers” are denied these certificates and all accompanying privileges.

This “indigeneship” issue has been exploited by various groups to further their own interests. Ethnic groups who have resided together for several generations are still referred to as “settlers” by “indigenes” who claim that their own ancestors were there before them. In Jos, the “indigenes” are usually the Christian majority while the “settlers” are usually identified to be Muslims and of the Hausa/Fulani stock. In some

cases, the indigenous people include both Muslims and Christians. A good example of this is the Goemai ethnic group, who are not only Christians and Muslims, but also practitioners of African Traditional Religions (ATR). The Constitution of the Federal Republic of Nigeria makes reference to the concept of indigeneship, but unfortunately fails to define it. Therefore, the term is commonly used to identify a person or group of persons originating from certain a place in terms of birth. But ironically, there are many people who were born and raised in particular areas and yet not accorded the indigeneship status, even though they have no other place to call their own.

The struggle for dominance between “indigenes” and “non-indigenes” has been explored in several different contexts. Sometimes, it is expressed in the form of a struggle for political power/positions. At other times, it is expressed in the form of struggle over land and its resources. This is further worsened by the large number of Fulani cattle herders in different parts of the State. Compounding this situation is the fact that the Fulani herdsmen, who are predominantly Muslims, often allow their cattles while grazing the land to damage and destroy farm crops. So, the Plateau State has constantly witnessed persistent cases of cattle rustling, revenge attacks and counter-attacks. Again, this challenge must be understood within the context of the longstanding historical political tensions and rivalries between the Hausa/Fulani population in Northern Nigeria and a multitude of other ethnic groups within the same region, including those in the south and other parts of the nation. The Hausa/Fulani Northerners have dominated the political and military landscape, especially during Nigeria's long years of military rule. With the end of the military regime and the advent of democracy in 1999, other ethnic groups, particularly the ethnic minorities in the North, have shown some resentment and resistance to this continued dominance. This struggle was further brought to the fore, following the introduction of Islamic Law (or *Shari'a*) in twelve Northern states. With this, the struggle assumed a more overt religious colouration. Economic considerations are the primary motivations for cattle rustling, but can be understood as a sub-conflict within the broader context of the Jos Plateau conflict. The religious dimension always comes into play as the Hausa/Fulani, who are Muslims, confront the other predominantly Christian groups.

The study found that there have been several efforts by both State and Non-state actors in the form of Commissions of Inquiry, Peace Conferences, reconciliation and community building efforts by CSOs, NGOs, FBOs, such as the Plateau Peace Practitioners Network (PPPN), an umbrella body of more than 100 CSOs on the Plateau, in collaboration with the Office of the Special Adviser to the Governor on

peacebuilding, etc. Several Commissions of Inquiry have been set up since April 1994 by both the Federal and State Governments to investigate the remote and proximate causes of the persistent violent conflicts in the Jos Plateau. These Commissions include the Justice Aribiton Fiberesima Judicial Commission of Inquiry for the 1994 Crisis; Justice Niki Tobi Judicial Commission of Inquiry into the September 2010 Crisis, including the Presidential Peace Initiative Committee on Plateau State of May 2004, the Plateau Peace Conference (“Plateau Resolves”) August 18 to September 21, 2004; and the Presidential Advisory Committee on the Jos crisis, March-April 2010, among several other efforts. The Plateau Peace Conference of 2004, which followed the declaration of a State of Emergency by President Olusegun Obasanjo and the appointment of an Administrator, Gen. Chris Alli (Rtd), the Justice Bola Ajibola Commission of Inquiry of 2009 and the Solomon Lar Presidential Advisory Committee of 2010, extensively considered some of the contending issues and made several recommendations to Government. While Government at the Federal and State levels must be commended for setting up various Commissions of Inquiry and Peace Committees, it is saddening to note that none of the reports of these Commissions and Committees have been published, gazetted and implemented.

The Joint Task Force (JTF) and the police have been deployed by the Federal Government to provide support and stem the tide of insurgency in Jos and surrounding environments. While this is highly commendable, it is also important to note that the efforts of the JTF have been seriously undermined by deep-rooted mutual ethnic and religious suspicion, as the members of the JTF have been accused of bias and side-taking, especially when attacks by herdsmen on local communities occur on locations in proximity with positions of the JTF without such attacks being prevented. Citizens are deeply concerned about the inability of the authorities to prevent or completely bring the spiral of violence to end. Furthermore, individuals or groups arrested for perpetrating one form of violence or another are released shortly after they are arrested. Highly placed individuals continue to make inflammatory, inciting and provocative statements without being arrested or interrogated. There appears to be a little or no deterrence and disincentive to check the recklessness and impunity of perpetrators of violence.

Conclusion and Recommendations

It is evident from the above analysis that Jos, Plateau State is currently experiencing a great measure of violent insurgency with attendant human rights violations. The ethnic, communal, religious and cultural configuration of the state is not necessarily the determinant of the conflict, but as Osaretin

Ø2013) rightly observes, it is the fundamentalism of these diverse identities that exacerbates restiveness. Illiteracy, prevalent poverty unemployment and perceived socio-economic and political injustices have bred frustrations and heightened primordial alignments, which now provide a platform for the historical ferment of violent conflicts and insurgency. Religion, citizenship, the indigene syndrome and settler struggles have resulted in disproportionate access to land, material resources and power. The resultant regime of mutual suspicion and fear of the “other” perpetuate the citizens' inability to embrace one another, cooperate and share resources and wealth. The resultant fierce competition and disunity fuels conflict –sometimes brutal acts of violence against the “perceived enemy”, that cries out for a new culture of peace tp promotes nonviolent human engagement across the land. Religion and ethnicity have, therefore, become the powerful instruments for recognition and advantage (Ibrahim, 2000; Osaghae, 2007).

Entrenched struggles for resource mobilization, allocation and control are some of the key factors or drivers of the conflict, growing distrust and violence in Jos, Plateau. This trend has great potential to spread to other parts of Nigeria. Religion has also played a significant role in many of these conflicts to the extent that even minor cases of petty quarrels, disagreements or localized disputes between individuals are maliciously and disproportionately given religious interpretations. This situation is not limited to Jos, alone but is an unfortunate “national phenomenon which stands the country dangerously on the path to perdition” (PIDAN Publications, No.1, Vol.1, June 2010).

The attendant conflicts and the numerous commissions of inquiry constituted by both the State and Federal Governments at various times ought to have addressed and ended the spates of violent conflicts once and for all, but they all seemed to have failed in offering alternative and lasting solutions to the problems. Also, the perpetrators of these acts of violence have either not been arrested or when they are, have not been prosecuted and punished accordingly.

This paradigm of reality that features in the concept of enemies is like an autoimmune disease of the human collective: dysfunctional and killing us. The entire paradigm of adversarial, confrontational, aggressive, competitive taking-of-sides, featuring the notion of enemies at its conceptual apex, is overdue for retirement. The new paradigm that should emerge to take its place offers a very different orientation, featuring alliance building, networking, interdependence, mediated conflict transformation, constructive cooperation, co–development and partnership. Fundamental changes and drastic actions must be taken to reverse this trend. So, therefore, having dispassionately addressed the issues at stake on the Jos Plateau, the following recommendations become imperative:

- i. Review and the enforcement of the provisions in the 1999 Constitution of the Federal Republic of Nigeria with regards to the citizenship question. There is a general feeling that contradictions, flaws and

inconsistencies in certain provisions of our constitution have greatly encouraged and supported the indigene-settler dichotomy. For example, Section 25 (1a) seems to be in conflict with Section 147 on Nigerian citizenship and the appointment of a minister who must be an indigene of a state. One wonders which is relevant here- a citizen or an indigene. In this same vein, reports of previous Commissions of Inquiry and Peace Conferences should be released, gazetted and implemented. Individuals and groups found culpable should be prosecuted in accordance with the Laws of our country and brought to justice.

- ii. Institution and the promotion of good governance as an antidote to some of the problems confronting Jos, Plateau and Nigeria generally. In the absence of good governance based on the universal principles of discipline, justice, integrity, transparency and accountability in the use of public resources for the common good; religious, ethnic and sectional appeals have become fuels for igniting primordial identities.
- iii. Creation of job opportunities, poverty reduction, education and skills development programs, especially for the youth. One of the greatest challenges facing our nation today is increasing poverty and unemployment which have maintained a rising trend over the years. Our country's poverty and unemployment statistics pose great threats to development, security and peaceful co-existence. As the divide between the rich and the poor grows due to poverty, illiteracy and unemployment, frustrations and social tensions increase, affecting our communities, state and the entire nation. It is, therefore, imperative for governments at all levels, including individuals, CSOs and private companies, to come up with all-inclusive poverty reduction initiatives and intentions, as this will greatly minimize the frequency of violent conflicts in Jos, Plateau.
- iv. Expansion of political and electoral space to embrace everyone, including minorities. Restrictions on the political space has often generated greater distrust, excluded others and fanned the embers of hatred and discord. This is not peculiar to Jos, alone. All the stakeholders in the political process, irrespective of their ethnic or religious extractions, should be accorded equal right and space to test their popularities through electoral contests. This will greatly help in arresting, once and for all, the agitations and violent conflicts in Jos, Plateau, and Nigeria generally.
- v. Reviewing and strengthening the security architecture through more frequent capacity building, training, 21st-century intelligence

- gathering strategies, including community policing and equipping officers and men of the Police, the Armed Forces and all those whose responsibility to maintain law and order for quick detection and response to early warning signals
- vi. Promotion and support of citizen-driven peacebuilding initiatives for reconciliation, forgiveness and healing, including compensations, trauma counseling and psychosocial support services, etc.

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CHAPTER EIGHT

Human Right Abuses in the Context of Insurgent Violence in Nigeria: The Case of the Apo Killings

Muttaqa Yusha'u and Adam Alqali

Introduction

Since the extra-judicial killing of Muhammad Yusuf, the founding leader of the *Jama'atu Ahalu Sunnah Lida'awati Waljihad* (JASLWJ) – which translates to People Committed to the Prophet's Teachings for Propagation and *Jihad* – better known by the sobriquet *Boko Haram* (BH) in 2009, the scope and *modus operandi* of insurgent violence in Nigeria is becoming increasingly complex and horrifying. The targets of the insurgents were initially security institutions, such as police stations, military barracks and security checkpoints, including paramilitary institutions like customs and immigration.

Nonetheless, overtime, the bloodthirsty group graduated from attacking security formations to carrying out their onslaught against helpless and defenceless soft targets, such as schools, motor stations, shopping malls and religious institutions. The idea of the extension of *Boko Haram's* campaign of terror to public spaces like motor stations, schools and religious institutions is due to their vulnerability and seamless accessibility, as well as the media attention and the outpouring of public outrage such offensives always generate: both locally and internationally.

Thus, human rights are continuously and grossly endangered by the insurgents' despicable campaign of violence as much as the are also being senselessly threatened by the actions of security agents – in the name of responding to the insurgents' vicious activities. It is now apparent that “actions by government departments compound, rather than mitigate security problems” (OECD, 2005: 4).

Incessant cases of rape, torture, extra-judicial killings in the most brutal of ways being committed, day-by-day, by the security forces, particularly in the aftermath of the insurgents' often barbarous and savagery operations, are rather ubiquitous. Thus, the Apo killings perfectly fit into the new narrative of state repression against innocent citizens that were never members of the terrorist organisation, the JASLWJ.

The Apo incidence is but the outcome of a not uncommon military operation carried out at the Apo district on the periphery of the capital city of Abuja. According to Naijalog (2013), “unknown gunmen dressed in military uniform stormed an uncompleted building in Apo/Gudu District of the Federal Capital Territory (FCT) on Friday, 20th September, 2013 amidst sporadic gunshots, which resulted in the death of 8 persons while 11 others sustained serious injuries”

However, a counter-claim by the security forces indicates that they

they were repelling an attack by some suspected *Boko Haram* members in their attempt to exhume weapons buried in the uncompleted building based on intelligence reports received from some detained members. The Chief of Army Staff, General Azubuike Ihejirika, contended that the operation was part of the effort to rid the FCT of suspected *Boko Haram* members (ThisDaylive.com, 2014).

Unsurprisingly, the security forces' action generated serious tension among the residents of the building, on the one hand, and a torrent of outcries from the general public, on the other. The nexus of the stalemate revolves around the true identity of the victims, as well as the veracity of the claim (of the security forces) that linked them to the terrorist organisation, the *Boko Haram*.

As such, this report is put together to provide a background to the web of intrigues surrounding the *Boko Haram* insurgency, as well as the counter-insurgency activities of the Nigerian security forces, and particularly, the way the state's response against insurgent violence tramples on the individual liberties of the non-combatant civilian population, such as the Apo victims. In trying to achieve this, section one deals with the background information, which explains the research problem and the aim of the study, as well as the methodology/limitation of these findings.

Section two unpacks the socio-economic and political context within which the insurgent violence sprouted in Nigeria while underscoring the impact of poor governance service delivery indicators and economic indices across the country, as well as their consequential impact on the emergence of the counter-culture expressed in form of the insurgent violence occasioned by the horrendous activities of *Boko Haram*.

Section three underscores the constitutional and legal framework governing human right protection in Nigeria, as well as the extent to which the on-going security actions aimed at unravelling the insurgency obstructs individual liberties, as provided by the Nigerian constitution and other conventions to which Nigeria is signatory.

Section four delves into the Apo incidence relying on first-hand accounts of the surviving victims and witnesses, as well as the leadership of their union, the National Association of Motorcycle Owners and Riders Association (NATOMORAS). Undoubtedly, their collective individual accounts are far reaching attempts at uncovering their ordeal, identity and the state's response, as well as the outcome of several investigations into the matter. The report situates their responses within both the socio-economic and political contexts of Nigeria while also looking at the existing legal and constitutional frameworks that ought to protect individual rights.

The report concludes with a general overview of the context of the extra-judicial killings in Apo, as pointed out by the testimonies of the military during the National Human Rights Commission's investigation, that the “incidence is an unfortunate and isolated one”.

Containing insurgent violence in Nigeria is apparently degenerating into the rights violations of innocent citizens. This has posed eminent challenges on state-society relationships, on the one hand, and civil military relations on the other. The study examines human right abuses in the context of insurgent violence in Nigeria with specific focus on the Apo killings of September 20, 2013, that resulted into the death of eight squatters and left 11 injured.

The nervous response of security agencies in trying to contain insurgent violence among non-combatant civilian population in Nigeria has grown unabated. The Apo killings is a case in the point of the state's assault on unarmed citizens in the context of a Non-International Armed Conflict (NIAC) characterised by the activities of *Boko Haram* unfolded.

Thus, the *Boko Haram* phenomenon in Nigeria suggests a presence of a NIAC, which makes it expedient for the security forces to abide by the provision of International Humanitarian Laws (IHLs) under the relevant provisions of the Geneva Convention during their operations. For instance, article three of the Geneva Convention provides that, in the case of armed conflict not of an international character occurring in the territory of one of the high contracting parties, each party to the conflict shall bound to apply, as minimum, the following provisions:

- (1) Person taking no active part in the hostilities, including members of armed forces who have laid down arms and those placed '*hors de combat*' by sickness, wounds detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion, sex, birth or wealth, or any other similar criteria. To this end, the following acts are, and shall remain, prohibited at any time and in any place whatsoever with respect to the above-named persons:
 - (a) Violence to life and person, in particular, murder of all kinds, mutilation, crucial treatment and torture;
 - (b) Taking hostages;
 - (c) Outrages upon personal dignity, in particular, humiliating and degrading treatment.
 - (d) The passing of sentences and carrying out executions without previous judgement pronounced by a regularly constituted court, affording the judicial guarantees which are recognised as indispensable by civilised peoples (cited in NHRC Report on Apo Killings, 2014).

Given the above rules of engagement in the context of a NIAC, which the *Boko Haram* insurgency typifies and under which the military operation during the Apo incidence unfolded, this report seeks to interrogate the following questions:

1. What is the identity of the Apo victims?
2. What is the level of human rights violation brought about by the Apo killing?

3. To what extent did the security forces acted within the rules of engagement in a NIAC situation while dealing with a non-combatant civilian population?
4. What was the nature of the response by security forces in Apo that resulted in the killing incident?
5. What are the accountability concerns around security operations in Nigeria?

This report is aimed at exploring the extent of human right violations brought about by the military's action at the Apo-killing with a view to:

1. Identifying the identity of the victims.
2. Determining the extent of human rights violations in the wake of the security operations.
3. Interrogating whether the security agencies acted within the purview of the prescribed rules of engagement.
4. Examining accountability concerns surrounding the manner in which the Nigerian security forces acted at Apo.

This report is based on the qualitative approach of combining both primary and secondary sources. The primary data was collected through field interviews/discussions with the leadership of NATOMORAS and surviving victims of the Apo incident. Kvale (1996: 1) notes that the essence of a research interview is to understand the subject matter from the respondent's point of view based on the respondents' experiences. According to him, “interview may not necessarily convey objective information but it captures many of the subject views on the research topic”.

The secondary data was collected from newspaper publications and NHRC reports, as well as numerous other sources of information. Equally, the report analyses certain provisions of the applicable laws that have legal and constitutional implications on the Apo incidence.

A sample of eight respondents comprising the leadership of the NATOMORAS and eye-witnesses, as well as the surviving victims, was carried out. Thus, the respondents were selected through purposive sampling. According to Leedy and Ormond (2010), purposive sampling implies a deliberate attempt to select some special group of people as research respondents. Their choice may be informed by their deep knowledge of the research topic or involvement to the research topic.

Similarly, the potential respondents were identified by means of snowballing. According to Coombes, (2001), snowball entails a referral to research respondents who may either participate in the research or have deeper knowledge of it. Neuman (2000), on the other hand, sees snowball sampling as a networking, chain referral or reputational sampling. It enables the researcher to network with relevant respondents to his research. Through this, the research sample may grow from simple to complex. Subsequently, the study

was able to link up with the potential respondents through contact with the NATOMORAS leadership.

The data is presented through thematic analysis. This is because thematic analysis enables structuring of data based on the semblance of the responses or otherwise. According to Lacy and Luff (2001: 1), “the mass of words generated by interviews or observational data needs to be described and summarized. The question may require the researcher to seek relationship between various themes that have been identified or to relate behaviour or ideas to biographical characteristics of the respondents such as age/gender”. Themes have been generated in light of the broader conceptual and analytical issues deduced from the literature survey.

The report was constrained by enormous challenges, critical of which was the inability of the researchers to gain access to the primary respondents, i.e. the members of the NATOMORAS whose leaders are the primary respondents for this study. Our field visits to the NATOMORAS Park in Garki Village on April 2, 2014 provided us the opportunity to establish contact with the leadership.

Indeed, the outcome of the NHRC's panel that investigated the Apo incidence released on April 7, 2014, which established the NATOMORAS members as being innocent and ordered that compensation be paid to the victims was a major drawback to our effort to access the respondents. The leadership of the NATOMORAS cunningly made unfulfilled promises of granting interviews and instructed their members not to speak to us. In the same vein, most of the respondents were not exposed to responding to critical survey questions.

Similarly, according to Musa (2014), “majority of the victims have fled the FCT following the initial directive by the Federal Government”. This has greatly affected the researchers' initial attempt at conducting different interviews with different groups of respondents, including the leadership of the NATOMORAS and the families of the deceased victims residing in states such as Kano, Yobe, Katsina and Zamfara respectively, as well as eye witnesses.

Thus, gaining access to the research setting was undermined by positional issues. According to Chacko (2004), positionality is critical in research and if not managed strategically it could lead into apprehension on the disclosure of public information to the researcher, as well as the politics of representation of the other and the ethical problem. Our attempt to interview the respondents was undermined by the predetermined perception of who were, and what we were looking for. We made several visits to the NATOMORAS Park in Garki village in an attempt to gain access to the leadership of the NATOMORAS to enable us to conduct the scheduled interviews.

To overcome this challenge, we opted for what Chacko (2004) called “informal discussion” with the respondents. This is a discussion with the research subject outside the rubric of the formal research setting.

The Socio-Economic and Political Contexts of Insurgent Violence in Nigeria

Nigeria got its independence in the *platter of gold* On October 1, 1960. As a neo-colonial enclave, its colonial history is important in understanding the nuances of its state-society relations and the manner in which power relations regurgitate. A deliberate policy of divide and rule and the North-South dichotomy hatched the politics of hatred and vendetta among its nationals. To this extent, the political parties that emerged in the First Republic were polarised along ethnic and regional divides.

For example, the Northern People's Congress (NPC) had dominance in the North, the Action Group (AG) in the West and the National Council of Nigerian Citizens (NCNC) in the East. This pattern of post-colonial history and mode of incorporation into the British colonial rule to a larger extent determines Nigeria's geo-cultural and religious influences (Mohammed, 2014: 11).

The prolonged military rule in Nigeria since 1966 and the transition to civilian administration in 1999, the consequent economic hardship imposed by various economic measures, such as the Structural Adjustment Programmes (SAP) in the 1980s have added credence to the culture of radicalisation and militarisation of the civilian psyche. Youth identity mutates under different circumstances. Consequent on this, Nigeria recorded a proliferation of various counter-movements expressed through armed robbery, youth vanguard, Area boys and *yandaba*⁸ phenomena, especially in Northern Nigeria (Yau, 2003). The consequence of this development is summarised by Jega (2003: 35) thus:

Majority of people become alienated from the state, they increasingly tend to question its legitimacy, and they increasingly congregate around whatever can be the way they could express, not only their discontent but their solidarity. Hence, religion, ethnicity and other forms of identity become convenient platforms of organised political action. Given the general culture of intolerance nurtured under authoritarian military rule, religious, ethnic, and communal struggles and conflicts increased greatly.

Thus, the existential condition in which Nigerians were enmeshed had great a influence on the way citizens expressed their mode of contestation. The transition to civilian rule in 1999 did not abate much of the inherent governance crisis in Nigeria. Nigeria's transition to civilian rule in 1999 was endangered by poor governance evidenced by lack of commitment to substantive the democratic aspirations of improving the socio-economic condition of the populations (Doherty and Mecellem, 2014). Poor governance in Nigeria according to the International Crisis Group Report (ICGR) has resulted in “decaying infrastructure, chronic electricity shortages and influx of cheaper

⁸ See Y. Z. Yau (2003), he examines the transformation of youth identity in the wake of economic crisis imposed by SAP, and its subsequent effect in the rise of counter cultures such as *Yandaba* phenomenon in Northern Nigeria.

imported products have led to massive factory closures and worsening unemployment” ICGR, 2014: 3).

In fact, Nigeria was rated among the most corrupt countries in the world, using Corruption Perception Index (CPI) that ranked her 98 in the world (Nigeria Transparency International, 2003).⁹ It was in the context of searching for a panacea to this socio-economic quagmire that the resurgence of *Sharia'h*¹⁰ agitation in Northern Nigeria evolved. While most of the Muslim population believes in the adoption of the Zamfara State model,¹¹ the Christian population sees it as an attempt towards the islamization of Nigeria. The *Sharia* agitation alongside other developments across the world, such as the proliferation of various terrorist organisations, has contributed immensely in the radicalisation process. As observed by Mohammed (2014: 22):

The introduction of *Sharia'h* Law, with a full range of criminal law punishments, in Zamfara state and its whirlwind adoption by eleven other Northern Nigerian states since 2000 accelerated the pace of radicalisation. The protagonists of the *Sharia'h* created the impression that it would lead to qualitative improvement in the lives of the inhabitants of *Sharia'h* states. However, the operation of the *Sharia'h* as an adjunct to, and its subordination to the, secular constitution was anathema to radical islamist, who now demanded a full complement of *Sharia'h* Law as against the Zamfara Model, which *Boko Haram* ridiculed and rejected.

The crisis of the Nigerian state was exacerbated by the weak insulation of vested interest from key bureaucratic and political institution and has rendered the Nigerian state “captured” by the political elites (Evans, 1995). The poor existential condition of people in Northern Nigeria, in both relative and absolute terms is important in understanding the politics of insurgency (Mohammed, 2014: 23). Thus, the state was unable to address fundamental social and economic programmes. The *Boko Haram* insurgency arose out of the contradictions of poor state-society relations that left many Nigerians in abject poverty.

As observed by Perouse de Montclos (2014: 5), “*Boko Haram* is political in nature because it contests western values, challenges the security of the state and reveals the corruption of a system that relies on a predatory ruling elite”. This action of the Nigerian political elite has rendered the state too weak to address the fundamental social and economic issues relevant to nation building. This albatross has thrown the country to the brink of collapse (Campbell, 2010). Thus, good governance is at the heart of counter-insurgency and critical in unravelling insurgent violence and its concomitant effect on right violations in Nigeria.

⁹ Nigeria was ranked 144th out of 177. See transparency international report “corruption by country/territory:

Nigeria” Nigeria Transparency international (www.transparency.org), 2003

¹⁰ Defines Shariah

¹¹ Zamfara state government under Governor Ahmad Sani Yariman Bakura claimed the Implimentation of sharia in Zamfara state.

Governance

According to Ibrahim Index of African Governance (IIAG 2013: 1), governance is defined as “the provision of political, social and economic public goods and services that a citizen has right to expect from his or her state, and that has the responsibility to deliver to its citizens”. Governance requirements expected by the Nigerian citizenry are clearly stated in the Nigerian constitution under the fundamental objectives and direct principles of state policy, which sought the state to provide social, political and economic rights to enable the citizens to realise their aspirations (Nigeria Constitution of 1999, as amended). Key governance indicators enunciated include but are not limited to the following: i) Safety and rule of law, ii) Participation and human right, iii) Sustainable economic opportunity and iv) Human development (IIAG, 2013). Human rights promotion and protection is a prerequisite to curbing insurgent violence, as insurgency itself is a reflection of bad governance indicators. The rule of law as a fundamental democratic requirement was dismal in Nigeria's democratisation process.

Out of the 52 African countries in the governance survey from 2000 to 2012 by the Mo Ibrahim Foundation, Nigeria came 42nd in safety and rule of law, 36th in participation and human rights, 34th in sustainable economic opportunity and 33rd in human development (Ibid). The bad governance trend has serious implication on state society relation, as social ills such as armed robbery, kidnapping, rape, terrorism and the insurgent violence currently perpetuated by members of *Boko Haram* become the major consequences. Thus, several attacks and the wanton destruction of property are part of the inherent contradictions and the unresolved governance challenge that breed youth radicalisation, as expressed in various identities in Nigeria, such as the Movement for the Emancipation of Niger Delta (MEND) and insurgent movements like *Boko Haram*.

The existing social relations characterised by deepening social injustice, inequality and poverty has sown the seed for the insurgent violence that thrives in Nigeria. As contained in the ICGR “a bulging percentage of federal and state budgets is allocated to salaries, allowances, pocket monies, foreign trips and temporary duty tours constraining capital and development project” (ICGR, 2014: 3). Thus, the provision of basic needs is endangered by accumulation practices; this prompted a counter-culture in the form of various destructive movements, such as *Boko Haram*. As such, insurgency is taking sway in Nigeria despite high level of economic growth. Also, economic growth does not translate into poverty alleviation instead promoted accumulation by the elites and the dispossession of the poor. As captured by ICGR (2014: 3):

Poverty has been increasing despite relatively strong economic growth; 112.5 million-over 70 percent of the population-are classified as poor and absolutely poor. Sokoto state in the North West has the highest poverty rate (86.4 per cent), Niger State in

North-Central the lowest (43). The North-East, *Boko Haram's* main operation field, has the worst poverty rate of the six official zones.

According to the National Bureau of Statistics (NBS), the recently rebased Nigerian economy is the biggest in the African economy with \$510 Gross Domestic Product (GDP) in 2013; against \$262 billion in 2012. This means the country has taken over from South Africa as the continent's biggest economy and became the world's 26th biggest economy. Also, according to the National Bureau of Statistics (NBS), between 2005 and 2013, the country's GDP continued to grow at an average of 6.8%” (NBS, 2014).

Though commendable, Nigeria's economic growth was largely oil sector driven. The non-oil sector is largely made up of distributive trade, which means manufacturing which ought to have been the driver of the non-oil sector that could only contribute a miserably meagre 4% to the GDP for 2013, according to the World Bank. The outcome of the newly rebased GDP was greeted with varied reactions from different quarters because the growth is uneven; as a large section of the Nigerian population continued to live in grinding poverty. An estimated 70 per cent of the population lives on less than \$1.25 a day. Economic disparities between the north and the rest of the country are particularly stark. In the north, 72 per cent of people live in poverty, compared to 27 per cent in the south and 35 per cent in the Niger Delta (NBS, 2014: 3) A Nigerian journalist put it thus:

Corruption became the catalyst for *Boko Haram*. [Mohammed] Yusuf [the group's first leader] would have found it difficult to gain a lot of these people if he was operating in a functional state. But his teaching was easily accepted because the environment, the frustrations, the corruption, [and] the injustice made it fertile for his ideology to grow fast, very fast, like wildfire (Joshua, 2014: 1).

Lack of growth with equity has been the challenge. Thus, growth is more likely to be sustainable if there is greater equity in opportunities for all segments of the society to participate in the process of generating economic growth and sharing in its benefit in a more equitable manner. In this sense, greater equity is complimentary to sustainable economic growth and development (UNDP Human Development Report, Nigeria 2008-2009). Lack of inclusive growth that could address the fundamental socio-economic and political question remains the underlying factor that engenders insurgency in Nigeria.

The Legal and Constitutional Framework Governing Human Rights Protection in Nigeria

The formation of the United Nations Organisation and the subsequent promulgation and adoption of the Universal Declaration of Human Rights were a watershed in the globalisation of human rights (Dada and Ibanga, 2011). The global community was resilient in the promotion and protection of human rights through the adoption and domestication of various regimes of right in their respective social and political milieu.

In apparent endorsement of the global movement towards the promotion of human rights; Nigeria has not only subscribed to major international human rights, instruments but contributed quite remarkably to the process that led to the actualisation of the dream of an African Charter on Human Rights, beginning of the post-independence constitution. In the amended 1999 Constitution, two Chapters spanning twenty six sections are devoted to the human rights subject (Dada and Ibanga, 2011: 71). To bolster its commitments to rights promotion, several institutional frame works have been created, such as NHRC, Public Complaints commission and the Legal Aid Council (ibid).

Thus, the extent of human rights violations in the effort to quell insurgent violence in Nigeria can better be explored within the existing legal and constitutional regimes in Nigeria. The main instruments governing human rights in Nigeria include the Nigerian constitution and the African Charter on Human and People's Rights (ACHPR). Other human right protection agencies include the NHRC. The State's ability towards human rights promotion is critical in addressing the social and political contexts in which insurgent violence sprouted.

What is the constitutional provision that protects human rights in Nigeria? To what extent is the state capable in prompting affirmative programmes that guarantee those rights? As stipulated in the 1999 Nigeria's Constitution, "security and welfare of the people shall be the primary purpose of government" thus; the protection of the security and human rights of Nigerian citizens is but an elementary responsibility of the Federal Government of Nigeria (FGN)".

Moreover, the country is signatory to several international conventions on human rights all of which clearly enshrined the protection, safety and welfare of the Nigerian citizens in the Nigerian state. According to the African Union (AU) Charter, "freedom, equality, justice, dignity is essential objectives for the achievement of the legitimate aspirations of the African peoples," (AU Charter).

As a member of the United Nations and the African Union, the (FGN) is signatory to several international conventions and declarations on human rights, including the UN Human Rights Conventions, as well as the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (ACHPR), which make it necessary for

the country to adhere to the standards laid down in these universal human rights documents.

For example, Article 1 of the Banjul Charter (which Nigeria is signatory to) states that: “the Member States of Organisation of African Unity [African Union] to present Charter (ACHPR) shall undertake to adopt legislative or other measures to give effect to them” (African Charter on Human and People's Rights)

The Nigerian Constitution

The main thrust of the Nigerian constitution is the protection of individual rights. The preamble of the 1999 constitution as amended sets the tune by recognising that “good government and welfare of all persons based on principles of freedom, equality and justice” (Nigerian Constitution, 1999 as amended). To consolidate on these aspirations, two key chapters in the constitution enshrined a robust framework on human rights protection. Thus, chapter two and four deal extensively with human right issues. Chapter two is entitled fundamental objectives and the directive principles of state policy, while chapter four is about fundamental rights.

Under the fundamental objective and direct principles of state policy, the second generations right consisting of social, cultural and political rights are clearly articulated. Sections 13 - 21 spell out clearly the state obligation of ensuring a just and egalitarian society. The rights contained in the chapters are “essentially equalitarian and egalitarian in character” (Dada, 2012: 26) that aim at providing a veritable opportunity for citizens to fully realise their material wellbeing. Dada (2012: 36) contends further:

These rights which are essentially equalitarian and egalitarian in character are rooted on the belief that the attainment of certain level of social and economic standard is necessary condition for the enjoyment of the civil and political rights accordingly, these rights require affirmative government actions for their enjoyments.

As such, it is imperative on the state to orchestrate deliberate policies of rights promotion through “affirmative government action” (Ibid) in achieving those rights. The affirmative actions may involve employment opportunities and social amenities such as; education, water and sanitation, health, security, housing and the protection of rights at work and the equitable distribution of national wealth. It is obvious that the rise of insurgent violence lies beneath the increasing economic hardship. This unpleasant development was captured by Dada and Ibanga (2011: 75-76). Thus:

It is important to note that while civil and political rights are often violated with disturbing and condemnable frequency and

regularly by government and its institutions, there is a near total denial of economic, social and cultural rights. Nigeria is a country which is blessed with abundant natural resources and is not plagued by numerous natural disasters like flood, tornado, wildfire and earthquake which have devastated many nations of the world and rendered them prostrate. Unfortunately however, Nigeria is plagued by heavy burden of corruption, incompetent and insensitive leadership such that social, economic and cultural rights have largely remained dead letters of no practical value.

The conducive atmosphere of achieving these rights is an antidote to counter-cultures, such as the insurgent violence that has ravaged Nigeria. Here lies a nexus between the poor condition for rights promotion and the degree of insurgency. The higher the degree of rights promotion in a country, the lesser the degree of insurgency. In other words, wealth disparity is a major precursor to insurgent violence in Nigeria.

Moreover, Chapter IV of the Constitution of the Federal Republic of Nigeria states the following fundamental rights as “accruable to every person by virtue of his/her existence as a human being”: The right to

- life
- dignity of human person
- personal liberty
- to fair hearing
- private and family life
- to freedom of thought, conscience and religion
- freedom of expression and the press
- peaceful assembly and association
- freedom of movement
- freedom from discrimination
- acquire and own immovable property anywhere in Nigeria and right to receive prompt compensation acquisition of property (Chapter IV Nigerian constitution).

Nigeria and the African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Rights (also known as the Banjul Charter) is an international human rights instrument that is intended to promote and protect human rights and basic freedoms on the African continent. Nigeria is one of the 53 AU member states that are signatories to the Charter whose idea came into existence at the 16th Assembly of Heads of State and Governments of the defunct Organisation of African Unity (OAU) [now the African Union (AU)] in 1979. In 1987, the African Commission on Human and Peoples' Rights was set up and tasked with the responsibility of interpreting the Charter (ACHPR).

Moreover, Article 2 of ACHPR states that: “Every individual shall be entitled to the enjoyment of the rights and freedom recognised and guaranteed in the present Charter without distinction of any other opinion, national, and social origin, fortune, birth or other status, (Ibid) and Article 12 states thus “Every individual shall have the right to freedom of movement and residence within the borders of a state provided he abides by the law” (ibid).

The National Human Rights Commission (NHRC) and the Protection of Human Rights in Nigeria

The National Human Rights Commission (NHRC) was established by the NHRC Act 1995, as amended by the NHRC Act 2010, in line with the resolution of the United Nations General Assembly, which enjoins all member States to establish national human rights institutions for the promotion and protection of human rights.

The Commission serves as an extra-judicial mechanism for the enhancement of the enjoyment of human rights. Its establishment is aimed at creating an enabling environment for the promotion, protection and enforcement of human rights. It also provides avenues for public enlightenment, research and dialogue in order to raise awareness on human rights issues.

Human Rights Abuses in the Context of Insurgent Violence in Nigeria: The Case of the Apo Killings

Ladan (2012) defines insurgency as “a violent move by a person or group of persons to resist or oppose the enforcement of law or running of government or revolt against constituted authority of the state or of taking part in insurrection”. Thus, the *Boko Haram* insurgency gains currency in the wake of the extra-judicial killing of Muhammad Yusuf, its founding leader, under police custody. Since then, insurgent violence has ravaged the Nigerian society and endangers human rights, such as freedom of association and the right to life and also led to the displacement of hundreds of people essentially in north-eastern Nigeria. According to the Amnesty International Report (2012):

There are no circumstances in which international law allows authorities to kill someone who is already in their custody or otherwise under their control in the absence of a trial which fully meets international standards of fairness. To execute a person in such circumstances is a form of extrajudicial or summary execution, and constitutes a crime under international law for which those responsible must be brought to justice.

Until 2009, Nigeria has never experienced insurgent violence though the country's history is one full of violent activities, including a bloody 30 months (1967-1970) Civil War. Thus, Nigeria's security forces, though

conversant with handling civil unrests, ethno-religious crises, inter-communal conflicts and electoral violence, were totally unprepared for the war against insurgents within their own borders.

However, the Apo incidence is by no means a fight against insurgency, as the victims were armless, innocent and law abiding citizens seeking for their livelihood in the Urban Informal Sector (UIS) in Nigeria. As narrated by Musa the Abuja Municipal Area Council (AMAC) chair of NATOMORAS, 'we are not *Boko Haram*; as such, the security should safeguard law abiding citizens and work with the citizens to get relevant information in discharging their duties' (Musa, 2014).

Ever since the *Boko Haram* insurgency began in 2009, numerous acts of gross violations of human rights with impunity – by both state and non-state actors, including alleged crimes against humanity – are continually being reported in the media and some of the grossest are the Baga Massacre (2013) and the Gamboru Massacre (2014), as well as the Apo extrajudicial killings (2013). Cumulatively, the *Boko Haram* insurgency has led to the lethal deaths of over 5,000 Nigerian citizens between 2009 and 2014.

Thus, in the course of executing the insurrection, state and non-state actors are committing various gross rights violations, including extrajudicial killings and summary executions of persons (during operations or while in detention) . The failure to impartially investigate such deaths; the failure to notify the relations of the persons killed if during the operations and the burning of residents' houses and their forceful eviction from their houses before operations, as well as the arbitrary and unlawful detention of accused persons and the denial of access to such persons by lawyers and relations have become the practice.

The International Criminal Court, which opened a preliminary examination of the situation in Nigeria, found in 2012 that there is a “reasonable basis to believe that *Boko Haram* attacks, including murder and persecution, amount to crimes against humanity. Attacks by *Boko Haram* or splinter groups, clashes between these groups and government security forces, and extrajudicial killings by the security forces have killed more than 3,600 people since 2009” (Human Rights Watch, 2013).

The Apo Six as Background to the Apo Eight

Before the 2013 Apo killings, it would be recalled that on June 7 – 8, 2005; six youth were brutally shot to death at the Garki District of Abuja by officers of the Nigerian Police Force (NPF) under the pretext that were armed robbers. The six youth, who included five young men and a young lady were Ekene Isaac Mgbe, Ifeanyin Ozor, Chinedu Meniru, Paulinus Ogbonna and Anthony and Augustina Arebu. They were killed as they were leaving a night club at Area 11 section of the Garki district.

The slaying of the six youth who were auto spare parts dealers plying their trade at Abuja's renowned Apo mechanic village attracted huge

outpouring of outcry from Nigerian citizens. And in the aftermath of the killing, the police reaction was that they were armed robbers who first opened fire on them. This led to riots at the Apo and Garki districts of the capital city during which the police again shot to death two more people. Subsequently, an investigation by a panel of inquiry set up by the Obasanjo administration proved the Nigeria Police Force wrong and established that the slain youth were murdered in cold blood. The Obasanjo administration went ahead to offer its condolences and apologies to the families of the slain victims and even paid compensation to the families of each of the slain youth.

However, after the killings, stories began to emerge about the actual circumstances that led to death of the youth who were between the ages of 21 and 25. It was discovered that on that fateful night of June 7, 2005, the youth were at a night club in Area 11 when one, Danjuma Ibrahim, an officer of the Nigeria Police Force, prepositioned the only lady among them, Augustina Arebu, who eventually turned him down. Feeling humiliated, Ibrahim went to the nearby police checkpoint and told his colleagues that there were a group of armed robbers in the neighbourhood. Thus, when the youth left the night club and drove towards the police checkpoint, Ibrahim was said to have blocked them and ordered that they be shot.

Almost ten years after the cold-blooded murder of the Apo Six, the trial of the police officers who perpetrated the act of the extrajudicial killings of those youth, including Danjuma Ibrahim, Othman Abdulsalami, Nicholas Zacharia, Emmanuel Baba, Emmanuel Acheneje and Sadiq Salami, is yet to be concluded. This clearly explains why such acts of excessive brutality by Nigerian security forces, against unarmed civilians still continues.

Data Presentation and Analysis

This section presents the major findings of the research based on interviews with the respondents. The Apo incidence was a case of human right violations by state actors. The Nigerian security forces (Military, DSS) contribute a significant figure to the number of violent deaths in the country since the beginning of the *Boko Haram* insurgency. Certainly, the extent of gross human rights violations by the security agents in Nigeria's war against the *Boko Haram* insurrection has reached alarming proportions. According to Human Rights Watch (2012):

The Nigerian government has responded with a heavy hand to *Boko Haram's* violence. In the name of ending the group's threat to citizens, security forces comprising military, police, and intelligence personnel, known as the Joint Military Task Force (JTF), have killed hundreds of *Boko Haram* suspects and random members of communities where attacks have occurred. According to witnesses, the JTF has engaged in excessive use of force, physical abuse, secret detentions, extortion, burning of

houses, and stealing money during raids and extrajudicial killings of suspects. These killings and clashes with the group have raised the death toll of those killed by *Boko Haram* or security forces to more than 2,800 people since 2009.

The pertinent issue is to interrogate how the Apo incidence occurred on the fateful day of September 20, 2013. The extrajudicial killings of the 8 Nigerian citizens in an uncompleted building at Abuja's Apo neighbourhood is one of the atrocious acts of human rights violation by Nigerian security forces since the beginning of the *Boko Haram* insurgency in 2009.

The eight youth killed by officers of the State Security Services were accused of being members of *Boko Haram*, an incident the NHRC, after investigations into the circumstances surrounding their death, has described as “unlawful”. Several accounts by the residents, victims and eye witnesses provide a counter narrative of the incidence

Interviews

Case 1: Gambo Idris

The researchers interviewed an eye witnesses who lived in the uncompleted building where the killing was carried out. The respondent was an eye-witness that lived in the building where the killings occurred and the Chairman of NATOMORAS, Apo/Gudu Unit. Speaking on the Apo extrajudicial killings during an interview on June 7, 2014, he narrated to the researchers that the Apo district uncompleted building in which their members were squatting was also being inhabited by taxi drivers, shoe-makers and sachet water vendors – each of whom was paying the sum of N200 to the security guard on a weekly basis. He added that, prior to the incident and specifically on Wednesday September 18, 2013, their members (Keke NAPEP operators) were particularly told to vacate the house and were warned that if they failed to do so, the owner would ask the police and the military to deal with them. It was two days later (September 20) that the tragic incident took place.

He recounted that on the fateful Friday, at about 12.00 am we started hearing sporadic gunshots and though most of the occupants of the house fled, he was still in the house. He also told his mate not to go out. After an hour, they came out and found five people dead while some others had sustained injuries; the rest of them took refuge at the historic Tsaunin Gwarawa (Gwari Hill) Malam Idris added: “Later, a police van arrived. They asked us to come down, and we initially ignored them because we couldn't trust them. After confirming their identity to us, they asked us to disappear. We stayed till dawn and proceeded to the mosque for the Fajr prayer. By morning, we realised there were up to seven corpses while 11 persons sustained injuries.”

He further stated that they then reached out to their union leaders (by telephone) and informed them of the situation, and also informed the Sarkin

Garki (the most senior traditional ruler in the Abuja metropolis) about the incident. The Sarki then telephoned the Divisional Police Officer (DPO) in charge of Garki and informed him of the incident.

“Initially, we rejected the evacuation of the corpses from the building where the incident occurred, but the Sarki later prevailed on us to allow the evacuation of the corpses to the hospital, where those that sustained injuries were also treated. Some lawmakers from Katsina, Kano and Zamfara – from whose constituencies the victims hailed – came to commiserate with us and lend their voices to our cause.”

Speaking on their right to live in any part of the country as Nigerians, Malam Idris said they came to Abuja in search of livelihood through the commercial *Keke* NAPEP operation business, adding that they had a union which was registered with the government. “Therefore, we resolved to take legal action. Yet, we first approached some lawmakers in the National Assembly since they are our representatives to help us establish our true status and debunk claims that we are *Boko Haram* elements. The Senate invited us about three different times while the House of Representatives invited us once. They equally invited operatives of the DSS as well as the military at different times. It is equally important to reiterate that *Keke* NAPEP was first introduced by the Federal government and we are into a legal business allowed under the laws of the Federal Republic of Nigeria.

Speaking on the identity of their members, Gambo stressed that “we have a database of all our members, their guarantors as well as their states of origin. Again, it is when certain criteria are met, that we allow someone to operate. For this, we told them (the legislators) that the victims were neither terrorists nor members of *Boko Haram*. They were ordinary Nigerians in search of livelihood to take care of their families. It was for this reason we asked the Senate to intervene. We even showed the files of all our members to the Senate”

Speaking further on the outcome of the National Human Rights Commission's investigation into the killing of their members, which indicted the Nigeria Army, the Directorate of State Security and the Attorney General of the Federation, Idris said:

We later lodged our complaint with the National Human Rights Commission (NHRC) who instituted a panel of inquiry and invited all the affected parties including the Nigeria Police Force, the military as well as the Directorate of State Security. All of us continually had sessions for almost 3 months in the course of which we tendered evidences of our murdered members' identity. He further recounted that even the DPO of Garki narrated that he was not aware of the operation. The medical doctor that treated the victims also testified before the NHRC panel saying the bullets found in the

victims' bodies were Nigerian military bullets.

Idris added that the outcome of NHRC's investigations revealed they (the victims) were not members of Boko haram and also ordered for prompt compensation for the victims. He affirmed that:

The NHRC asked us to make a demand for the compensation and we demanded for five hundred million Naira (N500,000,000) after which the Commission asked us to reduce the amount. Finally, the NHRC asked the DSS and the military to assist the families of the deceased's with the sum of N10 million each while N5 million should be paid to each of the survivors. They asked the respondents to give evidence of payment within 2 weeks, after the judgment was given. The DSS demanded for appeal and almost 40 days after they were yet to make any appeal. In the course of our follow up, we were assured that the money has been approved.

While speaking on their members in detention, Idris said security agencies had detained up to 8 of their members and later released some of them whom they also took back to their families in their various states of origin with the warning that they should neither come back to Abuja in the next two years nor grant interviews to the media. "We still have 4 persons in detention," he said.

Regarding the crackdown on their members by security agencies in Abuja, in the aftermath of the verdict by NHRC, Idris said beginning from 2011, they were given the right (by the FCTA) to operate their business in 11 areas within Abuja metropolis, including Garki, Gwarimpa, Arab, AYA junction, and Gaduwa estate, respectively. He narrated that:

In the aftermath the judgement, over 600 *Keke* NAPEPs been confiscated by the joint task force. We have on several occasions demanded to meet with the minister so as to fashion out a framework for our activities but to no avail. We are law abiding citizens who keep a data of all our registered members so that if there is any issue our members can easily be traced. As such, if the government has issues with us, they should us call union leaders; we are all Nigerians thus we deserve a fair hearing. We are ready to work within whatever areas of Abuja the government assign to us. Yet, if the intention is to totally eject us out of Abuja, they should write to us and give us a deadline and we will abide by it, because intimidation will never be a solution. So, we want things to be done in a legal way the same way they did to bus drivers and *Okada* riders. That's all!

Case No. 2: Murtala Moriki

Also speaking to these researchers on the Apo killings, at the Garki market on the 7th of June, 2014, Malam Murtala Moriki, the Secretary of the Garki Market Traders Association, narrated that on the fateful Friday (20th September, 2013), he was called and informed that something was happening at Apo, which had to do with their members after which, he rushed to the scene at around 1am and found a number of people dead while others were critically injured. According to him:

We later evacuated the casualties to the Asokoro General Hospital, where they initially decided to put the dead victims in the mortuary, but their families resisted and demanded the corpses be given to them, so they could be buried according to Islamic rites. The hospital resisted as such we had to call legislators who hailed from the states of the victims to intervene on the matter. Finally, the FCT administration ordered for the release of the corpses and offered to pay for the medication of the injured victims as well as provide ambulances to convey the corpses to the deceased's respective states.

Speaking on the allegation that the victims were members of *Boko Haram*, Malam Murtala said:

Surprisingly, at around 1 pm, as we were battling to sort out the medication of the injured victims and transport the corpses back home, we heard on the news that operatives of DSS had an encounter with *Boko Haram* members in Apo during which 8 people were killed. We were surprised; if they were members of *Boko Haram*, will they kill and leave the corpses there? And how comes the government paid for the medication of *Boko Haram* members?

Malam Murtala said it was not until 23rd September that they got the intervention of Comrade Shehu Sani, the famous human rights activist who paid for some ambulances to transport the corpses to their families, adding that the National Youth Council of Nigeria and Senator Sahabi Yau also assisted them. He avered that:

In order to convey our grievances, we opted for three resolutions – protest, court action, and petition. Thus, we granted a media interview stating we will stage a protest in Abuja, which the authorities were not comfortable with. So, the Sarkin Garki summoned us and pleaded with us not stage a protest but instead, to seek for legal redress.

While speaking on the senate's investigations into the killings, Malam Murtala said:

Senator Sahabi Yau raised a motion in the Senate and demanded for prompt action on the matter, which led to constitution of the Mohammed Magoro-led committee. The committee invited us, the DSS, IG of Police, the Attorney General of the Federation, the Interior Minister, as well as the NHRC and the FCT Minister.

On Tuesday, September, 24, exactly four days after the Apo eight incident, Senator Sahabi Yau from Zamafra State and from whose State most of the victims came tabled a motion during the plenary session of the Senate, asking the Senate to suspend its rules and promptly discuss the Apo killings. In his motion titled: "Apo killings; a Case of Extra-Judicial Killing", Senator Yau urged the Senate to investigate the matter after which the Senate president, David Mark, ordered the Senate's committees on National Security and Intelligence and the Judiciary, as well Human Rights and Legal Matters to investigate the September 20, 2013 killings in Apo district of Abuja.

Unbelievably, the outcome of the 20-member committee's findings led by Senator Mohammed Magoro, a retired army general, absolved the security agencies of all mistakes. Immediately the outcome of the committee's work was presented to the Senate, some of the committee's members dissociated themselves from the outcome of the committee's work. The committee members did so because they believed the committee had deviated from its actual terms of reference: which was to establish whether or not the military's conduct amounted to extrajudicial killings.

This clearly points out to some silent yet cogent issues not taken care of by the Senate's investigations into the matter. And though the joint committee's mandate was to actually find out if the military's shooting to death of the young men of that fateful Friday night was truly an act of extrajudicial killing or not. Instead of working according to its terms of reference, the joint committee was commending the military for being proactive in their intelligence gathering activities. The fact that some of the members of the Senate's panel of inquiry dissociated themselves from the outcome of the joint committee's investigations, as well as the fact that the outcome of the NHRC's investigations was clearly at variance with the Senate's findings shows that the Senate's joint committee had woefully failed to carry out its primary mandate of ensuring that the human right of all Nigerians has been protected, an article that is but an integral part of the Nigerian constitution.

Malam Murtala queried the outcome of the investigation, which he said was but hollow. He further said all the committee did was to recommend that the government provide jobs to teeming youth, so as to avert incidences like the Apo killings. Murtala said that led to protest by some members of the

committee who disowned the report. He complained that the report failed to ascertain the identity of the victims. On the strength of this, we wrote a letter demanding a copy of the report and a protest letter disagreeing with the outcome of the committee's work.

He said before they decided to reach out to the NHRC, a number of human rights organisations had already written petitions on the matter.

Commenting on their purported link with *Boko Haram*, he said “on a certain day, after *Zuhr* prayers at the Garki mosque, a man stood up, identified himself as an operative of DSS in search of a *Boko Haram* kingpin traced to the mosque through a mobile phone gadget. So, he asked everyone to remain seated until they finished their search. He said in the course of the search, they picked up a young boy called Engineer who admitted that he bought the phone from one Dan-Kamal. They asked him the whereabouts of Dan-Kamal and he pointed at him in the crowd, and after realising this, he (Dan Kamal) tried to run away. But was pursued and eventually captured by the DSS operatives”. Murtala further narrated that:

To our greatest surprise, we heard Dan Kamal on Voice of America (VOA) Hausa section confidently saying that he is a member of *Boko Haram*. However, his position at the public hearing contrasted with that of the radio interview. In the view of Murtala, he was surprised by the appearance of the boy because he looked well-kept and knew how to argue his membership of *Boko Haram*.

Murtala pointed out that:

he also testified that he was a member of *Boko Haram* during the public hearing, adding that their leader was one Suleiman R-Kelly and that Suleiman gave him the SIM card to only switch it on at 8pm at which time they have their meetings and also switched it off after the meeting at 10pm. He noted that after getting the contract with Suleiman, he stopped operating *Keke* NAPEP and was serving as their guard during their meetings. Unbelievably, according to him though the meeting was being held at between 8-10pm, the attack was carried out at 12 am.”

Case No. 3: Musa Ibrahim

In an interview with the researchers (on the 4th of June, 2014) Musa Ibrahim, the Chairman of the Abuja Municipal Council (AMAC) chapter of NATOMORAS, stated that on that fateful Friday, he received a call that some of their members residing at Apo were attacked by unknown gunmen, and that seven persons had already died on the spot. In the aftermath of which, he said, some of their members discovered a firearm magazine at the building which

they handed over to *Sarkin Garki* and the police.

He added that, “Given that nobody claimed responsibility for the attack, we refused to deposit the corpses at the hospital. Instead, we reported the incident to the police and the office of the FCT Minister – all of whom claimed being unaware of the operation. Later, the permanent secretary of the FCT Administration agreed to meet with us and we presented the following demands to him: that the government must fish out the perpetrators; provide ambulances to convey the corpses to their families for immediate funeral rites, as demanded by Islam and take care of the medical needs of all those in the hospital.

Ibrahim further said “the permanent secretary who was at the meeting on behalf of the FCT minister agreed to provide ambulances to convey the corpses to their homes and provide medication for those that were injured as well, as conduct investigation into the matter. He noted that this action calmed the tension among our members. The ambulances provided by the FCT were assigned to the different families of the deceased victims present, while one of the corpses was buried in Abuja”.

He stated that the eighth person named Nasir Adamu died the following Sunday and that about 12 people were hospitalised, adding that one of the victims called Ibrahim was still sick and crippled because of the wound he sustained as a result of gunshots.

Speaking on legality of the squatters' stay in the Apo building, he said their members were staying in the uncompleted building based on an agreement with the building's security guard, whom they were paying the sum of N200 daily since they could not afford to rent a descent accommodation in Abuja.

“Around 4 pm of the same September 20th,” said Malam Ibrahim, “we saw operatives of the Department of State Security (DSS) along with two persons alleged to be members of *Boko Haram*, as well as a group of journalists where DSS operatives claimed responsibility for the attack, claiming that they were on a search mission in the building when some people in the building opened fire on them and they returned fire which resulted in the death of our members”. Ibrahim narration went further as shown below:

The investigation into the matter began when Senator Sahabi Ya'u moved a motion for the matter to be investigated, and the Senate set up a public hearing committee to that effect. We were invited to present our case before the committee, but the outcome of the committee's work did not favour us. As such, we wrote a protest letter to the Senate and copied the Director of DSS; the Senate President; the Speaker of the House of Representatives; the National Human Rights Commission and the Senate Committee on Federal Capital Territory, as well as the Inspector General of Police.

He affirmed that:

It was in the midst of our protest that the NHRC instituted a panel based on several petitions written by individuals, civil society organisations and human rights groups. We are quite convinced that what the NHRC did was the real public hearing during which the Commission invited all parties concerned and all individuals involved in the case. Unlike, the Senate's public hearing that invited people separately, the NHRC's was more open and transparent as all of us were asked to meet at the same time – the DSS, the military and ourselves.

Narrating what transpired at the public hearing, Ibrahim said the security agencies came with divergent views on the matter, adding that while one of the military officers described the incident as 'unfortunate and isolated,' which meant that the military might have acted outside its rule of engagement, the DSS remained adamant that they were only repelling an attack from the building which means they acted in self-defence.

Ibrahim disclosed the educational status of the victims, school leavers who were in their mid-30s and had families whose care they were responsible for. He lamented that, “It is pathetic to note that one of the deceased victims had just sent some money back home a day before he met his death. Thus, his message arrived to his family alongside his corpse.”

He congratulated the NHRC whose investigation that declared them not members of *Boko Haram* as a far reaching success, far better than even the compensation the victims were asked to be given. As such, there were jubilations among the families of the victims that the identity of their loved children had been ascertained and that they would not continue to be subjects of ridicule in their communities – for giving birth to *Boko Haram* members.

As responsible citizens, he said they would never support any group that is aimed at destroying our country. We don't have any country other than Nigeria” and that the Apo incident will remain indelible in their memory because as leaders, we have fought for the interests of our members”. He declared, “We are not *Boko Haram*; as such the security should safeguard law abiding citizens and work with the citizens to get relevant information in discharging their duties. He lambasted the Senate's report as not thorough. Instead, “was embedded with selfishness”. However, the NHRC's report, shows that there is democracy in Nigeria and that we still have patriotic leaders”. He was of the opinion that accountability would help reduce the level of injustices in our country.

Case No. 4: Sani Muhammad

Narrating his ordeal on June 9, 2014, Sani Muhammad a victim who sustained gunshot injuries, told the researchers that prior to the

incident, one day they were sleeping in the said Apo building when they saw garbage pickers tampering with the electric wiring of the building. “Realising this,” Sani said, “the security guard informed the house owner who subsequently gave all the squatters two a week notice to evacuate from the house”. He said, “during the attack, I sustained gunshot injuries in my pelvic girdle and became unconscious; I was in the hospital for three weeks. The treatment we got was not that effective and those that were buoyant enough had to leave the hospital for better treatment elsewhere. Indeed, we were cheated and our rights as human beings and Nigerian citizens were grossly violated for no reason”. He prayed not to see a repeat of such an ugly incident. Sani added that his brother and he came to Abuja in search of livelihood.

Case No. 5: Nuhu Ibrahim

Also narrating his ordeal in the hands of the security operatives, Nuhu Ibrahim, a vegetable seller who sustained gunshot injury in the hand during the attack, said: “We were in the market when we heard that garbage pickers have removed the conduit wiring in the house and the house owner, who was informed, had threatened that from the coming Wednesday he didn't want to see anybody in the house, again He, however, said before the expiration of the deadline and while sleeping in the night, we heard gunshots and try to escape in the process of which I was shot in my hand. Yet, we ran to the nearby mountain and sat on it until it was time for the dawn (Fajr) prayers.”

Nuhu who has been in Abuja for 12 years said he stayed at the Asokoro General Hospital for two weeks before he was transferred to Wuse General Hospital and finally went back home to Zurmi in Zamfara State where he continued with the treatment until he fully became well. He said what pained him most was associating them with *Boko Haram*. He added that he only came to Abuja “to be able assist my family because my father is old and I am the eldest in the family”. The contentious issues regarding the Apo killings revolve around the actual identity of the victims. With the above discussion, it became apparent that the victims were homeless artisans in search of livelihood in the UIS.

Major Findings

Based on the above analysis, this report deduced the following major findings:

- i. There is no veracity to the claim that linked NATOMORAS members with *Boko Haram*.
- ii. Lack of synergy and coordination in intelligence sharing among the security forces.
- iii. The reports suggest that prior to the incidence there were threats to the squatters to leave the building, while the killings occurred barely three days to those threats.
- iv. Lack of utilisation of modern technology among the security

- v. forces while discharging their duties, which could have eased their work in tracing what transpired in the Apo building where the incidence occurred.
- vi. Abuse of basic individual rights is on the increase, most importantly the right to life, personal liberty and freedom of movement of the Apo victims has been endangered.
- vii. Growing culture of impunity among the security personnel while discharging their duties, without recourse to the extant laws, such as the right to fair hearing, as well as disdain to international humanitarian laws that guide their operation in NIAC situation which the *Boko Haram* situation signifies.
- viii. Proliferation of uncompleted buildings in Abuja is a major setback in the FCTs town planning.
- ix. There was a deliberate attempt to banish some of the victims from Abuja, which obstructs on individuals rights to life and movement.
- x. Rule of law as a major requirement of democratisation has been undermined by the activities of the security forces during the Apo incidence.
- xi. The incidence suggests a deliberate attempt at criminalisation of the poor.
- xii. Nigerian security forces are in a difficult terrain in the context of the war against terror that resulted into poor civil-military relations.

Conclusion

The Apo incidence is a human right violation perpetrated by state actors, including the Military and the DSS. The victims were armless citizens seeking for livelihood in Abuja. Majority of them hailed from North Western Nigeria and engaged in petty trading, such as vegetable and vending, wheel barrow pushing and transportation, such as tricycle operation known as Keke NAPEP.

The military and DSS had acted outside the rules of engagement of not ascertaining the actual identity of the victims before their attack. The attack demonstrated lack of capacity in appreciating the modern technology and tactics. The security forces would have operated differently by, first, cordoning the area and by using satellite search to confirm the activities in the building. The casual response by the security forces is against the spirit of fair hearing. They have demonstrated no tangible evidence to suggest that the house harbour criminal groups, such as *Boko Haram* members.

Human right promotion is a critical factor that the Nigerian government should invest in by providing basic needs, the needed infrastructure for development critical in bridging social inequality. The town planning policy, especially in FCDA, should be addressed to tame the preponderance of

uncompleted buildings in the city. There should be a proactive template of engaging with informal workers operating in the FCT, as suggested by Gambo Idris, a leader of the tricycle operators in Abuja that:

We are ready to work within whatever areas of Abuja the government assign to us. Yet, if the intention is to totally eject us out of Abuja, they should write to us and give us a deadline and we will abide by it, because intimidation will never be a solution. So, we want things to be done in a legal way the same way they did to bus drivers and Okada riders. That's all!

Recommendations

- i. There is the need for the Nigerian state to invest in economic activities that can provide employment to the teeming poor.
- ii. There is the need to engage the civilian population in national security campaigns.
- iii. The need to provide a decent working environment for people operating in the informal economy, such as the NATOMORAS members and other informal sector workers, by providing them with social security.
- iv. Unionisation of informal workers will help the Nigerian government in abating the security challenges and make their activities more accountable, predictable and traceable by the security forces.
- v. The need to boost the technical expertise of the Nigerian security personnel to be able to engage in the war against terror effectively.
- vi. The northern states where all the victims came from need to orchestrate a deliberate pro-employment policy that can provide employment to the youth in the region; this can be done by harnessing their agricultural endowment, live-stock and the tourism sector.

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CHAPTER NINE

Insurgency, Community Reliance and Human Rights Abuse: A Case Study of Northern Bauchi

Y. Z. Ya'u

Introduction

Without being too didactic, the level of insurgency can be graded into three. First, is the high intensity region, which is characterized by the massive onslaught by the insurgents, a sustained attack and a determination to occupy and take-over control of the territory. This has resulted in the large scale killing of people, massive destruction of property and huge displacement of people. This is the situation in the Borno and Yobe States, as well as parts of Adamawa State. The level of human rights abuses on both sides of the security personnel and the insurgents is appalling. In addition to being killed, abducted or arrested, ordinary citizens are routinely subjected to degrading treatment by the military, the police and the insurgents.

The second can be classified as low intensity conflict, which occurs from time to time, but without intent to take over territory. This has resulted in killings and the destruction of property, but no displacement of people. This is what takes place in the borderline states of Bauchi and Gombe States, as well as in Kano State. Here human rights abuses frequently occur, but are not in the same scale as in the high intensity zone. There is no large scale displacement of people in these areas. However, there is a corresponding influx of people running from the high intensity areas that may look as relatively safe places. In the context of a lack of a systematic way of identifying new influx, both innocent ordinary people and insurgents find shelter in the low intensity areas, constituting a serious threat in the areas.

Lastly, there are instances of isolated attacks that are meant for the insurgents to either demonstrate their daring as a way of driving fear into the population, attempt to replenish or simply to divert attention. Such is the case in the borderline state of Jigawa. The level of killing and destruction of property is not of the same scale as in the two other cases. While documenting victimhood in Bauchi State, this contribution will seek to interrogate three related key questions, namely:

- What is the specific nature of the low intensity conflict in the state?
- Why did it take this form of conflict trajectory?
- What are the implications of the situation in Bauchi State to the containment of the *Boko Haram* insurgency?

This research relied on interviews and desktop search. A number of people were interviewed to both generate data and provide narrations about events that took place that they knew about. Two focus group discussions were

conducted in Azare, especially around the event of the community resilience to *Boko Haram*. A targeted questionnaire was used to elicit information from families/relatives of victims

The chapter did not set out to document the totality of *Boko Haram* attacks in the state. Instead, it uses specific instances of attacks in especially the northern part of the state to draw conclusion about the nature and pattern of the insurgency in the state and the efficacy of the activation of community reliance as a portent force in defeating the insurgency. In this context, it sees community reliance as “a process linking a network of adaptive capacities (resources with dynamic attributes) to adaptation after a disturbance or adversity” (Norris FH, *et al*, 2008). It is the self-organizing agency of a community to collectively respond to adversity of any kind.

The Context of the Area

Bauchi State is part of the North-East Zone of the country. As part of the region, it has one of the worse development indicators. The state has an education enrolment of 38.7% adult literacy rate, making it one of the worse states in the country. With a gross enrolment ratio of 49.2%, it is about the 5th from the bottom (UNDP, 2010). Majority of its people are farmers, with petty trading as a second coping strategy engagement. With a decline in productivity, increased pressure on land due to population increase and the non-availability of government jobs in the context of a state that has very small private sector, majority of the people have to eke a living in the informal sector of the economy, as marginally employed. Consequently, the incident of poverty is very high in the state. A NAPEP Survey shows that the state is the 4th among the 10 states with the highest incidence of poverty (Galadima and Omar, 2013). Its percentage of poverty incidence was 86.29% much higher than the northeast regional average of 72.16%, which itself is a far cry from the national average of 43.19% and 63.27% urban and rural areas, respectively. About 76.51 of its citizens live on less than one dollar per day (UNDP, 2010).

The northern part of the state, with its headquarters at Azare, shares similar characteristics with Yobe State with which they also share borders. With desert-like conditions, unemployment is very high with relatively above average population growth. The high population growth is fueled by the fact that as predominantly agrarian areas, people see children as farm hands, and therefore, aspires to produce as many children as possible without regard to how they will maintain them. The result is that a large proportion of children in the local governments are outside school with many sent to *almajiranci*. These children are vulnerable and, as they grow, they are not only a social problem, but also a security problem to the society. Katagum Local Government, which according to the 2006 population census, has a population of 295,970, has an area of 1,436 km² and enrolment figures of 21,064 and 15,949 male and female, respectively at lower basic and 5,839 and 3,257 (male and females) at upper basic shows very low enrolment for the year 2010. Gamawa LGA

has primary schools (12,346 and 8,863 male and female respectively) and the upper basic (1,708 and 809) showing similar poor enrolment. Itas/Gadua has even the worth of the three with 12,342 and 8,017 at primary and for upper basic 2,279 and 901¹² male and female, respectively.

The low enrolment is the result of two reinforcing causes. On the one hand, poverty makes it difficult for many parents to support the education of their children. On the other hand, the poor understanding of education in the context of generalized youth unemployment is seen as incapable of providing jobs for the youth and, therefore, is an unnecessary investment that parents should not make. This last problem is associated with the national crisis of the education sector, which is largely providing only certificate holders that are lacking in any functional skills.

The area has had a long history of the Qur'anic tradition of learning. In most of the major towns of the sub-region, there are distinct settlements referred to as *Tsangayya*, which is not only characterized by the concentration of Qur'anic scholars and focused toward learning activities, but has traditionally been a refuge for those who did not want their wards to enroll in *boko* (western education) schools. *Tsangayyu* can be found in several places in Katagum Local Government, such as in Ragwam, Lafiya, Gwasamai, Magwamshi, Itas Gadau and Jama'are Local Government, as well as in Gamawa and Zaki Local Governments. Historically, large proportions of the people living and resident in these *tsangayyu* were immigrants from other areas, especially Kano who had run away from enrolling their wards in *boko* schools in the 1950s. It has a high concentration of *almajirai* and a distain for western education, two features that are assumed to fit well with the pathology of the *Boko Haram* recruitment base. It is a context that can give rise to insurgent citizenship whose dark side would, as Langa and von Holdt (2012) notes, "hostility to women, the assertion of patronage networks, xenophobia and the reproduction of cycles of violence".

A Chronology of Attacks

In a double sense, Bauchi State is a buffer zone. It borders Yobe State and, by extension, Borno State, and both *Boko Haram* members and those running away from the theater of insurgency seek sanctuary in the state. Similarly, it borders Plateau and Kaduna States where ethno-religious conflicts have resulted in the mass displacement of people (Kwaja, 2014). Many of these have found refuge in Bauchi State. This positioning of the state at the crossroads of conflict regions has created its own peculiar dynamics in relation to the conflicts. It was in this context that the followers of Yusuf congregated around the airport area of Bauchi since the 2007, forming a distinct community. As they were not involved in criminal or even militant activities, not many people paid any notice to their presence beyond noticing their peculiar dressing. However, on July 26, 2009, things changed. Prior to this day, a number of their members had been arrested in and were detained in a police station in Bauchi. On that

¹²The data given here was compiled by the research from records of the education departments of the local government

day, a group of members of the *Boko Haram* numbering about 30 (Sani, 2011) stormed the police station at *Dutsen Tanshin*, but the police apparently were prepared for them. A number of them were killed while others were arrested. Immediately, the Bauchi State government ordered the demolition of their settlement. Following the demolition, many of them simply disappeared.

Many traveled to Maiduguri to join the now new front following the killing their leader, Mal. Yusuf. As the number of those arrested in Maiduguri as a result of the confrontation between the sect and police increased, some of them were transferred to the Bauchi Central Prison. The setback suffered by the group from the mass arrest and the death of their leader disorganized them immediately. However, they later were able to regroup and strategize on how they were to respond, especially that their leader had been extra judicially murdered.

One of the decisions was to seek the release of their members languishing in prisons. It was in implementation of this decision that on September 7, 2010 members of the *Boko Haram* stormed the Bauchi Central Prison, taking both staff and authorities by surprise. The attack was, according to their then spokesperson *Abul Qaqa* in a radio interview with BBC Hausa, “to free their captured members, whose cause of attack was baseless and brutal”. By the end of the operation, which appeared well planned, the gates of the prison were let go for the prisoners to escape. A large number of them did, even though some of them were rearrested. Some turned back themselves, but it was conceivable that many of the *Boko Haram* members did escape. In fact, in the attack, prison officials said that 721 out of the 759 inmates at the Bauchi Prisons escaped (*Sani Muh'd Sani*, 2010).

This prison attack in Bauchi was significant in many respects. First, it was really the first major attack on the symbol of the state in Nigeria by the group. Second, it was a bold statement by the *Boko Haram* that they were ready to confront the Nigerian state. The “victory” also exposed to the insurgents the weakness of the state, which was that its information gathering system was deficient. It was also, as Kyari (2014) notes, the beginning of a transformation to “suicide bombings, and massive deployment of Improvised Explosive Devices (IEDs), vehicle- borne IEDs, and, lately, kidnapping and hostage taking.”

The release and escape of the members of the *Boko Haram* group from the Bauchi prison meant that they now melted and got embedded within the general population of the state. It was this embedding within the communities that allowed them the space and resources to reorganize and regroup. By the time they were ready, they hit the state with vengeance.

For most people in Azare, when the *Boko Haram* attacked the prison in Bauchi, it was like this was just a fluke and not likely to affect us. There was, in fact, a feeling that *Boko Haram* was not a problem for “us”¹³. There was thus incredulity when on December 4, 2011; the town recorded its first attack by the sect. The attack did not only take the residents by surprise, but it also instilled

¹³ This was a view shared by both those at the FGDs and interviewees

serious fear in the population. In the night of that day, the insurgents, perhaps about twenty or more (nobody was sure but everyone says they were many), in a well-coordinated attack, took over the major streets of the town, placed their flags with Islamic signs in some strategic places and asked all the ordinary people met on the streets to go in. Starting from about 12 midnight to about 4:30 pm of the same night, they had total control of the town. While carrying out their operation, they were chanting the slogan '*Allahu Akbar*' and declared that the battle was not with the people, but with the symbol of state, represented in that instance by the police. They raided the town including the police headquarters, the township police station and Intercontinental and Guaranty Trust Banks and burnt them. They also attacked the residence of Ali Kwara, the acclaimed vigilante leader who has been leading his teams against armed robbers across most northern states.¹⁴

At the end of the attack, police sources disclosed that “Six persons were killed, yesterday, while five others were injured”¹⁵. The attack completely devastated the entire Area Command's Headquarters allowing the attackers to take along with them weapons. They also succeeded in destroying the safes of the two banks taking along unspecified amounts of money.

The Community as Collective Victims: In the evening of February 27, 2012, suspected members of Boko Haram attacked a bank and a police station at Jama'are, headquarters of Jama'are Local Government. The attack was followed by the exchange of heavy gunshots between the police and the gunmen that lasted for more than one-and-a-half hours. The police in the state said they successfully foiled an attempted bank robbery in Jama'are, adding that the gunmen were armed with General Purpose Machine Guns (GPMGs). The State Commissioner of Police, Mr. Ikechukwu Aduba, was quoted saying “the hoodlums, whose numbers are yet to be ascertained, armed with GPMGs and Improvised Explosives Devices (IEDs) in yoghurt packs, known as hand grenade fabricated device, attacked a first generation bank and the adjoining temporary building accommodating the Divisional Police Headquarters in Jama'are.” The police also disclosed that the insurgents did not take anything. It was obvious that their targets were weapons and money, which they could have from the police station and the bank, respectively.

It took a long time for them to be heard again in the area. This time they picked on an individual, Jarman Katagum, Alhaji Ibrahim Jarma, a senior title holder in the Katagum Emirate and well respected community leader as their target. He had retired from the prisons service as Controller General of Prisons and because of that he had police protection. On September 18, 2012, some unknown guests alighted from a motorcycle, went straight into his house where they found him seated and sprayed him with bullets, killing him instantly. They also killed his security guard, Alhaji Bala, and took away the gun. Nothing else was taken.

By this time, the heat was on Azare and the nation as well. There have been calls or government to engage the insurgents with a view to finding

¹⁴ The attack in Ali Kwara's house was meant to prevent him and his team from responding to the attackers. It may

¹⁵ well indicate that the attackers had sufficient information about the town

See Vanguard report of December 5, 2011

a solution. The federal government had constituted a team to engage in pre-dialogue talks and got the *Wamban* Katagum, Alhaji Aminu Saleh, to join the team. Because of this, the police decided to beef up security around his person and posted a two-man police patrol team to his house. On September 26, 2012, some strangers alighted from a motorcycle and before the policemen could interrogate them, they had pumped bullets into them, killing them instantly. They took the weapons of the slain policemen and went away, taking the Potiskum road exit, and making a right turn after the Federal Medical Centre, disappeared from the view of the public after. Their weapon could be found months later in a ditch just behind the FMC.

The attack on the *Wamban's* house raised a number of questions for which there were no immediate answers. For example, was he attacked because of his involvement with the Sheik Dahiru Bauchi Committee? Was he attacked to torpedo the discussion? Was he betrayed by the *Boko Haram* contacts? Or was he attacked simply for him to be frightened? Whatever the reasons was, a pattern had been established but that was hardly understood at the time.

Another attack was in October, 2012. The police at the check point were coming home after handing over to those doing the night shift. They stopped at the Dankani Filling Station on the Jama'are side of the Kano-Maiduguri highway to buy *suya*. As they were waiting for the *suya* to be cut, the attackers swiftly fired on their targets, killing two of the security agents. As they were about to leave, they realized that one person had probably recognized them. He was a worker at the filling station. Following the attack, the filling station closed and he went home. Not long after he arrived home, a team visited him at home and shot him, indicating that he was killed by the insurgents who feared he might expose them. They also killed an Igbo business man, Oga Basiru, and his two children. This also shows that the attackers might have been known residents of the town.

A further target attack took place on December 6, 2012. In the evening, the attackers went to the house of a local politician, Alhaji Ibrahim Arab, and killed him along with his two children. Again, the children might have been killed because they might have recognized the killers.

Shifting from Azare to Other Parts of Northern Bauchi Region

Hostage Taking

In 2006, among other companies, Setraco won the bid for the *Kiyawa-Jama'are-Azare* segment of the Kano-Maiduguri highway. The company deployed to the site and commenced work with a camp site at Jama'are, Jama'are Local Government of Bauchi State. The camp located about 1km outside the town in addition to being equipment and a machinery depot, also housed the foreign staff of the company. There were 17 foreign staff living in the camp. In addition, there were security guards and other local staff who were

assisting the foreign staff. The camp is about 22km to the Adamami junction of the old Kano-Maiduguri Road, and from the junction, Balmo Forest, which stretches from Darazo, Giade and Shira local governments in Bauchi State, as well as Gwaram Local Government in Jigawa State to Dukku in Gombe State.

On February 19, 2013, the day the attack was launched. There were only 14 of the foreign staff in the camp as three were out of station. The attackers cut the fence and killed the security guard, Mr. Solomon Amedu, an indigene of Kogi State and took seven of the foreign staff as hostages. Those taken at the end of the operation were:

1. Mr. Makako Salvani from Italy
2. Mr. Carlos from Lebanon
3. Mr Imad from Lebanon
4. Mr. Julius and his wife, from Syria
5. Mr. Braden from Britain
6. Mr. Consatilio from Greece

The remaining seven were able to escape from the camp.

The insurgents along with their captives took the *Jama'are-Adamami* road, joining the old Kano-Maiduguri road. From there they probably could have taken either the Gwaram side or the Yana way, both of which could still take them to the Balmo Forest, the presumed base of the insurgents. Till date, nothing has been heard of the hostages beyond a statement by *Jama'atu Ansarul Muslimina Fi Biladis- Sudan* (JAMBS), a splinter group of the *Boko Haram*, which claimed to have killed them.

Soft Targets

Yana, located on the Azare junction of the old Kano-Maiduguri road, is on the fringes of the Bulmo forest. It is also the headquarters of the Shira Local Government area of Bauchi State. On April 20, 2014, the insurgents driving in vans entered the town and drove straight to the local government secretariat, which they set on fire. They also set the police post on fire. A nearby bank was ransacked and set on fire. From there, they drove into the premises of the Government Girls Secondary School, Yana but luckily did not abduct any girl. However, many buildings were set on fire. At the end of the operation, the attackers had destroyed a bank building, part of the police barracks, a conference hall and 15 vehicles at the local government secretariat, and several cell-phone towers. A five-year-old girl was also burnt to death in the blaze at the police barracks. From Yana, it was a short run to the Balmo Forest.

Moving Upwards: Giade, the headquarters of Giade Local Government is about 22 kilometers from Yana on the same old Kano-Maiduguri Road. It also borders Bulmo Forest. On June 19, 2014, the insurgents descended on Giade, ransacked the local police station and took weapons. In the ensuing shutout, three passersby were killed. One was Magaji Umar, a 36-year old man who was killed at a filling station. Until his death Magaji was a commercial

driver, shuttling within and outside Bauchi State for commercial driving purposes. The second was Wadata Gamboji, a 40-year old male of Unguwar Yamma Giade identified to have a minor mental problem, who was killed when he protested the attack *Boko Haram* launched at the filling station, asking them to stop killing innocent people and taking away their belongings. The third victim was Hajiya Nasiru, a female of Kofar Kudu Giade, Giade LGA. She died of the same circumstance as the two other victims. Again, like Yana, Giade, which is at the edge of Balmo Forest, is just a quick run to the forest.

The Activation of Community Response: The Battle of Kasuwar Ridi

Kasuwar Ridi in Azare is a specialized single commodity market, where sesame seed was sold and bought. It is a weekly market held on Sundays, which is also the day of the main Azare market, as well as the regional cattle market. The Ridi market is about three kilometers from the main market located at the Matsango end of Azare, at the northern fringe of the town, close to the local government secretariat. By 10am daily, the market is usually full with traders making transactions. Sunday, December 9, 2012 was not different at least until around 11am. At this time, suddenly a gang opened fire on the traders, wounding some. The traders fled, leaving their money and wares, which the attackers looted. Confident now they had won and taking their booty, the attackers started to advance westward from the market, planning to retire to their place of temporary accommodation, which was Wadanko Guest House, about 2 kilometers away from the market off the old Kano Road.

Unknown to the attackers, the people of Azare had decided that they had enough of this and were ready to confront the attackers come what may. They saw the attack, particularly on a Sunday, as deliberately aimed at hitting on the economic nerve of the community, which is a major commercial centre. A quick mobilization saw hundreds of people out, some on foot, others on motorcycles, advancing towards the attackers. The attackers saw this and immediately responded with gunfire. A few people fell but the mass kept advancing even as the attackers kept firing. This made the attackers flee, running through Government Girls College to Comprehensive Secondary School and finally ending in a house. The people were not deterred and continued the pursuit, even as more people had been wounded. They caught up with them and encircled the house the attackers took refuge in. While the people kept throwing stones, the attackers kept firing. By around 1.30pm, the combined team of police and army came and took over from the people, firing into the house, as the attackers returned fire. Sensing their ammunition was running low, the attackers made phone calls for reinforcement.

After an hour of the exchange of fire, the leader of the group emerged in one desperate attempt to break out from the trap. The police immediately fired, getting him in the hand, which made him drop his gun. As he bent down to pick the gun, another shot got him and he fell. He was captured still alive but the police and army as well as the people could not spare him. Two others had been

killed through stoning earlier; another two came out and were stoned to death, bringing the number of those killed to five. By the time the last was killed, it was after 5pm, meaning that this phase of the battle had lasted for over six hours. At the end of the encounter, the community also suffered its own losses. In addition to several wounded, the following lost their lives: two police men, one soldier and six civilians who were: Abubakar Dan Jakada, Sabiu Sale, Muhammadu Dan Sokoto Mai Doya, Mustapha Tasi'u, Magaji Aminu General and Mahmud Sani Adamu Gire.

But it was not yet over, as the reinforcement had actually arrived. Not familiar with the terrain and having lost communication with their colleagues who had been killed, they asked for direction to Wadanko Guest House, which no one was willing to give them. They ended up at a food “bucker” at Tashar Gadau, which was in the opposite direction to Wadanko. They requested for food. The vigilant food seller saw them with sacks and became suspicious. She immediately and discreetly made her fears known to others who mobilized and within minutes the gangs were rounded up, their guns seized and eventually done with. The decision of the community for extra-judicial murder was made out of the fear that these people could be released either on bail or somehow at the police station. Phase two had ended by the night, but the town was not at ease as there was tension everywhere. However, nothing further happened in the night until the following morning. In the morning, one of those who escaped the Kasuwar Ridi confrontation went to the ATM machine in front of First Bank, along Kano Road, to make a withdrawal. There was also a long queue. He made a massive withdrawal. This raised the suspicion of the people who were by now very vigilant in the town. An alarm was raised and within minutes he was surrounded and captured. He was disarmed, and confessed of being part of the gang. The mob action did not spare him.

Unearthing the Mole: An Illustration of Community Embeddedness

Magaji, a 35-year old, appeared in Azare from virtually nowhere. He was inconsistent in telling people from where he came from, but because he appeared to be of good character, he was not a problem. Truly, nobody knew where he came from. He appeared also to be of fairly good means; with cars and a source of income that nobody was sure how he came by it. He soon befriended several people and gained the trust of the community such that when he saw a girl he wanted to marry, the usual family investigation required by the Islamic tradition was waved off and the family of one of his friends stood in as his own. Through his friend, he got Mahmud to connect him with an estate agent who rented him a house at VIO Quarters, Azare. He paid the one-year rent and moved into the house. Although he showed some unusual behavior, such as going to the Shira hills with his friends, leaving by the car (feasting on the snacks he bought for the purpose), getting lost in the hills and after hours returning to go back to Azare in a different car, leaving the one they came in behind, no one at least among his friend suspected him of anything unusual.

A day before the Azare bank attack of December 4, 2011, he entrusted a shop to one of his closest friends to use the proceeds to take care of his now five-month old pregnant wife and that, if she delivered in his absence, they should get money from the shop and buy all the requirements for the naming ceremony. In his absence, the friend did that when the wife eventually put to bed a baby boy. He resurfaced months later, this time not as rich, in fact as a poor man working as an *okada* rider. His rent for the house had expired and, at any rate, the house had now been sold to another person who was not interested in renting it out. The new owner now got workers to carry out renovation in the house. As they started work, they uncovered guns and ammunition, as well as explosives buried in the house. This was immediately reported to the police command that swung into action to investigate the circumstances of the finding.

By working backwards, they got the estate agent arrested who explained that the last occupant was brought to him by Maikano. Next, Abdullah was arrested who in turn said it was the friend of Magaji, Mahmud, who brought Magaji to him. After several efforts, eventually both Magaji and Mahmud were arrested. Magaji not only confessed to owning the guns and ammunition found in the house, but also confessed to being part of the gang that carried out the bank attack and two others. He also volunteered that one of his colleagues who was killed during the fight back against the *Boko Haram* members had hidden weapons in the towns but that he did not know where and since the man had died. It was not going to be easy to discover where.

The police eventually found that the real name of Magaji was Abdullahi from Ningi who was already on the wanted list of the police, having earlier escaped from detention. Events later revealed several other members of the sect who had embedded themselves in the communities. For example, Wadata Zailani, aged 40, was staying at the Matsango area of Azare and ran a vulcanizing workshop along the old Kano road in the town. He was known to be associating with many people and seemed fairly committed to religious issues. He accommodated strangers and was seen as part of his religious commitment. No one suspected him of involvement with the *Boko Haram* group until after the attack on the late Emir of Kano, Ado Bayero, when his colleagues betrayed him and was killed while trying to escape arrest by police. He probably was serving as an intelligence hand for the group and might have contributed to the Kasuwar Ridi attack, as it was in his area of residence.

Another person who was well embedded in the community was Yusuf Muhmmad. His family had moved into Jama'are in the late 2000s and he grew up there and read for his university degree in petroleum engineering. No one suspected him as he was fairly well regarded in the community. It was only when he was killed following an attack in a safe house of the group in Kano that his involvement with it was revealed. Neighbours then recalled seeing people in expensive cars visiting him.

Community embeddedness, however, goes beyond getting accepted in the community. It also extends to having the ability to discreetly recruit some

local members of the community into the *Boko Haram* sect. Three examples can demonstrate successful recruitment. The two caught in connection with the operation in Kano were from Azare, both of them long distance drivers, must have been locally recruited. Similarly, Wadata Zailani who was from Matsango in Azare, was locally recruited.

Analysis of the Attacks

Except for the first attack, most of the others within the state were carried out by teams of handful members, numbering not more than six or so. This meant that it was a cell-like operation than the all-out attack that characterize the insurgency in high intensity areas. It also indicates the possibility that the gangs were in close proximity. While Magaji (now Abdullahi) was central to the cell in Azare, it was not clear whether he was the leader or someone else.

Unlike the attacks in Kano, which were mostly in the day time, those in northern Bauchi were in the night, indicating the fact that the perpetrators might be known in the area and therefore avoiding the possibility of being discovered. The killing of three people in their houses after leaving the scene of an attack at later hours supports this view.

It would appear, however, that the attacks in Azare and those in the Jama'are-Yana-Giade axis might be done by two different cells. While those who attacked in Azare might have actually been based in Azare, those in the latter were most likely based in the Balmo Forest. Security operation in the forest mopped up a lot of weapons. For example, newspapers reported the Army Director of Public Relations, Maj. Gen. Olukolade as saying the “troops who have been excavating various sites in the forest in search of hidden weapons, have so far recovered over 10 rifles along with parts and accessories as well as more than 80 General Purpose Machine Guns, GPMG, tubes of Rocket Propelled Grenades, RPGs, and launchers, cables and wires (for making IEDs) and thousands of rounds of assorted ammunition”.¹⁶ But it is conceivable that the two might, in fact, be linked or even the same. Magaji, who was central in Azare, took leave for months from the area and possibly relocated to Balmo Forest. There was also the fact that he had run rendezvous in Shira Hills, changing cars at the place, which probably was a meeting point.

There might in fact have been several cells operating in the zone. Security traces show the involvement of some group members from Azare in attacks in Kano. For example, Dan, 43 years and Sabil, about 34,¹⁷ who are both from Azare and currently in detention were picked following GSM phone tracking, which got Dan informing Sabil that they (his team) had carried out an operation in Kano. The identity of Wadata Zailani, the vulcanizer, was also revealed in connection with this attack, which meant that all three of them were linked. Similarly, Yusuf, who was based in Jama'are, was killed in a house in Kano by security personnel on a tip off that the house had insurgent members. It was possible he had gone to cool it after an operation in Jama'are and where

¹⁶ See for example, Vanguard, July 12, 2014

¹⁷ Actual names changed as they are yet to be tried

he was staying was a safe house or it was indeed a group meeting to plan an operation. Whichever the case, it shows that there was a link also between Kano and Jama'are. This shows that the insurgents have extensive networks that are linked through various paths. With respect to the identity of their victims, it would appear that they could be categorized into four, namely:

1. Victims who were killed in attacks for replenishing purposes seeking to get weapons, food, and money. The attacks on Wambai, Jarma and the various attacks on police stations were of this nature. They attack in banks and markets were also of those nature. The abduction of foreign workers was also part of this since they were taken in the hope of getting ransome money.
2. Victims who were killed because they probably knew the identity of the attackers and, therefore, constituted a threat to them and hence had to go. These could include those killed at their houses following the attack at the filling station, as well as the children of Alhaji Ibrahim Arab, who were killed after their father had been killed.
3. Those who were killed as s result of falling into the cross fire of the insurgents. These included in Giade, Yana and those killed in the first attack at Azare.
4. Those who were targets the motive of which was not clear but could merely be to create confusion by appearing to attack indiscriminately, while there is there is no logic in the attack that is known to the insurgents such victims could include Jarman Katagum and Ibrahim Arab.

Unlike in other places where the attacks were launched on prison officials, political and military targets and finally picking on community and religious leaders. In Bauchi north, it did not follow that order. Although there were cases of the bad maltreatment of citizens, especially at check points for small infractions or even more, there have not been the types of indiscriminate killings of civilians, as happened in high intensity conflicts areas. Much of the human rights abuses with regards to the insurgency, therefore, were committed by the insurgents.

Why Low Intensity?

What does low intensity mean in the context of the insurgency? Unlike in Yobe and Bornu States and parts of Adamawa State where the insurgents had sustained a push on communities, chasing them out and occupying the towns for days or even more, in border areas, such as Bauchi State or even as far as Kano, the attacks are sporadic coming after a long interval. The attacks were not meant to seize control of these communities, but to send messages, first, that the insurgents could operate anywhere, and, secondly, use it to deflect attention from the main theater of conflict. But the attacks are also meant to replenish supplies of food, money and ammunition, especially those in the border places where it is much easier to ferry the weapons and other supplies to

the conflict arenas than far plunge places like Kano. As low intensity sites, the choice of targets is slightly different. While in the main centre, the target is to achieve the displacement of the population (even where hostages have been taken, such as in Chibok); in the low intensity arenas, insurgents go for soft targets and those with utility value, such as ammunition stores, banks (for money) and food depots. But they can also pick on youth for recruitment as fighters to replenish their ranks.

Why did the insurgents opt for the low intensity form in the border areas? Three possible reasons could be adduced for this. First, is the practical reason that, as the main bases of the insurgents are deep in the Sambisa area, carrying out regular and sustained operations in the state would be tasking, since they have to leave their base, cross into Yobe and then Bauchi or, on the other hand, cross into Gombe and then Bauchi, both of which are logically problematic. The second reason is the imperative of keeping safe havens in the border places. Safe havens are transit points for temporary stay and the safe keeping of loot and for the replenishment of supplies. As a border state, Bauchi provided these operations. In fact, it appears that this is the main function that Balmo Forest served as a sub-base of the *Boko Haram*. A continued and sustained onslaught will draw the military and make it impossible to maintain the safe havens. Consistent with this reason, it can be seen that most of the operations in Bauchi State appeared to be relating to the function of safe havens, which is to get supplies, such as arms and ammunition, food and even money. This is why most of the attacks were on police stations, banks, markets and schools. Citizens, especially around the Gwaram-Darazo axis, confirmed that suspected *Boko Haram* members usually invade markets, making huge purchases of food items and disappearing into Balmo Forest.

A third reason was tactical. Following the escape of the *Boko Haram* members from prison, many of them got embedded within the communities to evade re-arrest. This, however, had utility for the insurgents. First, they can gather information and intelligence for their organization. Second, they can discreetly recruit and even train new members. Third is that they would set up safe houses for their members while continuing to plan and organize. Any large scale and sustained confrontation in this place would expose the hidden networks and make the utility of the safe places in the borderline places useless. This made the insurgents to opt to pick on targets more strategically than to draw the state into the high intensity conflict characteristic of Yobe and Borno States.

A fourth reason would be the organized response and resistance by the communities. In Bauchi town itself, the group was right from the beginning, opposed by the members of the community, as well as the state government. Their houses in Bauchi were demolished and members forced to leave the town and, therefore, were disorganized to establish a coherent presence capable of giving a sustained fight. In addition, there were the efforts by the state government to ensure that the state was not safe for the insurgents. But it was in

Azare that they met a community reliance resistance. After a series of attacks in the town, the people of Azare decided to confront the insurgents rather than to run away. Thus, when they attacked on December 9, 2012, the people mobilized and confronted them. In spite of the shooting by the group members, people continued to pursue them until some of them were killed while a few were able to escape. This response encouraged the people of the town to virtually take over the policing of their town that effectively ended the daring attacks by the insurgents,

The specific occurrence of the low intensity conflict in Bauchi State is thus imposed by a conjecture of both push and pulls factors. The pull factors work to pull away the state from the grip of insurgency while the push tends to draw into to the arena of conflict. This is characteristic of all borderline areas in a conflict in which the border is a contested terrain for both insurgency and counter-insurgency. Containing the insurgency will not only require making the border impenetrable for them, but also drive it into the core of the enclaves of the insurgents.

Azare in particular is critical in this equation. It is the next major town from Potiskum, a commercial hub of northern Bauchi State. Capturing it by the insurgents would have allowed them a wider space of operation and the possibility of connecting its core in the Borno/Yobe complex to the suspected Balmo Forest sub-base. Such link would have converted Bauchi into a high intensity zone, draw Jigawa State into from its experiencing isolated cases of attacks to either high or low intensity level and make it easier to mount more operations against Kano. This would have also extended the conflict terrain and forced the military to be thinly spread over a vast terrain, making containment even more difficult.

The push across the border from Potiskim was not stopped by military efforts. It was largely an expression of community resilience. This is not unique to any specific community, but is contingent upon the specific nature of its activation, mobilization and management. The civilian JTF in Maiduguri, for instance, is another variant of community resilience. However, its activation and management were different from that of Azare. In both cases, the activation occurred as a response to the difficulties that the communities had been pushed by the operation of the insurgents. But the civilian JTF could for a long time not be able to express itself because the military did not allow it the space to do so. It was suspicious of all people and that was why many innocent civilians were victims as well as of human rights abuse by the military. Indeed, as Kyari (2014) notes, “the security agencies have completely lost the hearts and minds' war through high-handedness and brutality.” Because the military held the communities as suspects, and often treated them harshly, the community also did not trust them. There was no possibility of collaboration between the civilians and the military. It was this mutual suspicion that blocked the possibility of other community resilience expressions in other places such as Potiskum, Damaturu and even Bama.

On the other hand, the presence of the military was light in Azare. The level of suspicion was also low. When the community reached a boiling point and the elements of community resilience surfaced, the military did not attempt to control it (as a matter of fact they had no time to tame it), as it did in other places. The activation in Azare was allowed to run as an independent force, unlike with the civilian JTF, which was managed and controlled by the military JTF. This independence was what made the Azare community resilience very effective.

Conclusion

This study reveals a number of significant findings. First, it reveals that community reliance is a portent force for defeating the insurgents. We saw how when people of Azare rose and confronted them, they not only kill the insurgents but also at least for a long time stopped them from further attacks in the town. Secondly, it shows that human rights abuses are minimized in the context in which the independent community resilience strategy is activated. Thirdly, it shows that the strategy can only be activated in a situation in which the relationship between the civil population and the military has not been strained.

Following from this, it is obvious that there is the need for rethinking about the military strategy of the Nigerian government in its efforts to overcome the challenge of the *Boko Haram* insurgency. In particular, there is the need to re-engineer the military towards establishing better military-civilian relations that will allow for confidence and trust-building and, therefore, for the two to work together in dealing with the common enemy.

Part of this reengineering of military-civil relations is that the military both, as an institution, and soldiers/police as, individuals, must not only be human right conscious but all uphold the rights of citizens even as they confront an enemy that has no respect for human lives. This calls for, at one level, the mainstream of human rights education in the training curriculum of both the military and police, and the development of a transparent vetting system for the recruitment of men and women into the police and the military in the country. At the moment, there is no systematic vetting process for recruitment into both, which allows people of questionable character to be enlisted (Ya'u, 2014).

The study shows that *Boko Haram* members are embedded within the communities and do not necessary always come from outside the communities to attack. This was, of course, revealed also by the civilian JTF experience in Maiduguri where members of the civilian JTF once they were given the space by the military/police JTF were able to pick out known members of the group in their communities. What this indicates is that there is poor intelligence gathering among our intelligence and security agencies. As the case of Magaji in Azare illustrated, he could have long been discovered had there been effective intelligence gathering.

Closely associated with poor intelligence gathering is the fact that there is very little to suggest that conflict vulnerability assessment is being mainstreamed in the counter-insurgency strategy of the government. This is because a proper Conflict Vulnerability Assessment (CVE) will suggest the fortification of border areas with a view to ensuring that the insurgency is contained within bordered areas. Although such containment is difficult within the context in which already the insurgents had dispersed and gotten embedded in communities outside the key areas, such as in Bauchi, Gombe and Kano States, the CVE would well have helped in predicting the likelihood of attacks on these places, and an early warning system could then have been activated to prevent such attacks. This did not appear to work.

Poor intelligence gathering in the context of insurgency would appear to be the result of the peculiar orientation of security agency operatives. Drawing from Kone (2006), Kone and Garuba (2009) have drawn attention to the difference between ordinary “intelligence gathering where information is covert (close), classified, political, state security-based and prone to espionage, early warning information gathering that is needed in the context of insurgency is “overt (open), unclassified, conflict preventive and human security-focused and completely devoid of espionage intention”. Our security and intelligence personnel who are trained in the methods of espionage do not have sufficient skills and temperament to pick out the necessary information that would expose the embedded networks of the insurgents within communities.

The lack of CVE and the inability for the military to work hand in hand with civilians are linked to two issues around policy making, especially as they relate to security issues. One is the absence of citizen voices in policy making security issues. There has been no effort on the part of the government to involve ordinary citizens within the conflicts zones in a consultative process of seeking their suggestions on combating the insurgency. The second is the lack of consensus among the elites to develop consensus among themselves on key aspects of national policy. This lack of consensus which has been documented in other contexts (Hendrickson, 2008; Ibeanu and Momoh, 2008; Ya'u, 2007) is evidenced in the prevalence of various conspiracy theories about the *Boko Haram*. With such divided and confused public, and non-credible conduct of armed personnel, it is not difficult for the ordinary citizens to think that armed personnel and the insurgents are part of the same hidden agenda. The insurgents have recognized this and have been using military uniforms during operations. What this calls is a transparent and accountable process of consultations among all stakeholders, including providing ample space for ordinary citizens in the conflict zones to offer their suggestions on a collective counter-insurgency strategy for the country.

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CHAPTER TEN

Conclusion

Habu S. Galadima

Introduction

Northern Nigeria has become one of the largest areas of violence in Africa with attendant high levels of human casualties, internal displacement, social disruption and violations as well as abuse of human rights.

The *Boko Haram* Insurgency and the counter-insurgency operations in northern Nigeria are at a staggering human cost, as they have resulted in abuses in human rights of the people living within the theatre. The levels of threat to human security and human rights are horrendous and mind-boggling. The range of human rights violation include the right not to be subjected to torture, cruel, inhuman and/or degrading treatment or punishment (ICCPR, Article 7); the rights to liberty and security of person (ICCPR, Article 9); the right to freedom of movement (ICCPR, Article 12); the right to freedom of association (ICCPR, Article 22); the right not to be subjected to slavery, servitude or forced labour (including sexual and economic exploitation and trafficking) (ICCPR, Article 8); the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay (UDHR, Article 24); the rights of protection for the child (including protection from sexual and economic exploitation) (ICCPR, Article 24), the right to an adequate standard of living (including access to adequate food, clothing, housing and water) (ICESCR, Article 11); the African Charter on Human and People's Rights (1981), The Constitution of the Federal Republic of Nigeria 1999 (Chapter IV).

The articles in this book have shown that in the face of gross human rights violations and abuses, government appears to be blatantly forfeiting its responsibility to exercise exclusive control and supremacy over its territory in the Northeastern part of northern Nigeria, as well as protect its citizens from mass atrocities. Since July 2009, when the *Boko Haram* conflict escalated, at least 11,100 people have died on all sides of the insurgency (Figure and Data: The Nigeria Social Violence Dataset, SAIS African Studies Program, 2014). The insurgency of *Boko Haram* in Nigeria killed at least 2,053 civilians in estimated 95 attacks during the first half of 2014 (Human Rights Watch Report, July 15, 2014).

Each chapter in this book is based on a sound research where evidence of human rights abuses was documented in the selected states of the country. Chapter one by Aluaigba provided a succinct introduction to the subject matter and the various chapters of the book.

Chapter two by Boye, in his article on “Human Rights Abuses in the Context of Insurgency: A Study of Selected Incidences of Insurgency Killings in Yobe State”, documented the extent of human right violation as a result of

Boko Haram insurgency in Yobe State. He provided insights into the Killing of over 200 people at Damaturu; Killing at Potiskum Cattle market; Killing at College of Agriculture Gujba; Abductions and the assassinations of prominent citizens, such as Clerics, Traditional and Customs officers at Potiskum town; JTF's tactics of not attacking *Boko Haram* unless a military personnel is attacked; human rights abuse at check points; Internally Displaced Persons (IDPs). He concluded that the *modus operandi* of the insurgents and the Joint Military Task Force were both responsible for the gross the violation of human rights in Yobe state. He argued that there was an urgent need for the re-orientation of the people to understand their rights and those guilty of violating human rights must be punished accordingly, irrespective of whether civilian or military/paramilitary. He suggested that governments at all levels must be readily attended to victims of disaster, whether natural or manmade. This is part of the reason government came into existence.

Yahaya in his analysis of the “Ongoing Violations of Women's' Rights in the Context of Insurgency in Borno State, Nigeria” examined women's rights violations within the context of the insurgency in Borno State. He found that women were more affected by the insurgent activities going on in the North, particularly in Borno State where they have been kidnapped, humiliated, displaced and left stranded to cater for their needs. He requested government to do much more to protect the in rights that have been blatantly abused and violated. He contended that existing laws and instruments for the protection of human rights should be reviewed, domesticated and implemented to strengthen women's confidence regarding their fundamental rights.

Chapter four is the article by Mohammed on “The *Boko Haram* Insurgency and Education: A Study of Future Prowess Islamic Foundation School in Maiduguri”. He examined the impact of the *Boko Haram* insurgency and concluded that the current insurgency and its management by security forces have produced a large pool of orphans and widows in dire need for education and psycho-social support, which the Future Prowess School provides, albeit inadequately. He argued that this school for the weak clearly shows that a wide gap exists between the supply and demand sides for schools, which the government has not been able to meet in the short term. He averred that any post conflict peace building and reconstruction programme must factor in the provision of educational infrastructure and services for that peace to be sustainable.

Ma’aji in his article, “The State of Human Rights Since the January 20th, 2012 *Boko Haram* Bombings in Kano State”, blamed both the Federal and State governments for failing in their obligations of protecting and advancing the dignity of the people of Nigeria being a signatory of various international human rights documents, and, as contained in the Nigeria's 1999 Constitution, as amended. He contended that unless certain urgent steps are taken into consideration, the issue of safeguarding people's rights to life and freedom of

movement and associations will only be a mirage during the period of insurgency.

In her contribution to the book in chapter six, Ibrahim examined insurgency in Kano and the plight of the widows of Policemen. She noted that the 2012 insurgent attacks targeting many police formations in Kano led to the loss of the lives of many policemen leaving behind wives and children who suffered untold hardship. In her investigation, she discovered that the widows lived in frustration, harassment and deprivation as a result of the loss of their husbands, coupled with unpaid benefits of their husbands who died in active service. She also said that they till date have not received their husbands' benefits. Despite this, the Police authority has been threatening them to vacate their apartments in the barracks barely two weeks after the burial of the policemen killed. She recommended that the Nigeria Police Service Commission should intervene to pay the entitlements. In addition, civil society groups should mobilize to monitor these widows, as they have no one to cater for them.

Ivorgba examined the human rights violations in the context of the violent insurgency in Plateau State in chapter seven of the book. He argued that the *Boko Haram* insurgency found space amidst the complex violent conflicts in Jos, especially and Plateau State in general. The Jos conflict was centered on the politics of indigeneship vs settler dichotomy and the rights to representation and freedom from domination by both the indigenes and the settlers. Ivorgba investigated and documented human rights violations within Jos North and Jos South Local Government Areas of Plateau State. These included abuses/violations on the right to life, including decent burial for the dead, concerns on political and economic rights violations, the right to education and citizenship versus indigeneship issues, among others. He discovered systematic, widespread and gross human rights violations in Jos with some of them bordering around crimes against humanity. He noted that the gravity, scale and nature of these violations present clearly a very frightening spectacle under the watchful eyes of their political and religious leaders. Specifically, he identified cases of crimes against humanity, violations of the freedom of movement and residence and violations of political and economic rights of the people in Jos.

As a way out, he recommended the review and enforcement of the provisions in the 1999 Constitution of the Federal Republic of Nigeria with regards to the citizenship question; the institution and promotion of good governance; the creation of job opportunities, poverty reduction, education and skills development programs, especially for the youth; the expansion of the political and electoral space to embrace everyone, including minorities; the reviewing and strengthening the security architecture through more frequent capacity building, training and 21st-century intelligence gathering strategies, including community policing; and the promotion and support of citizen-driven peacebuilding initiatives for reconciliation, forgiveness and healing,

including compensations, trauma counseling and psychosocial support services, etc.

Muttaqa and Alqali in their contribution in chapter eight focused on the human rights abuses in the context of the Apo extra-judicial killings by security agencies in Abuja. They examined the veracity of the claim by the security agencies that their victims were members of the *Boko Haram* insurgency. They investigated the Apo incidence relying on first-hand accounts of the surviving victims, witnesses, as well as the leadership of their union, the National Association of motorcycle Owners and Riders Association (NATOMORAS). They established that the extra-judicial killing of eight citizens was part of the growing culture of impunity among the security personnel while discharging their duties without recourse to the extant laws, such as the right to a fair hearing, as well as disdain to international humanitarian laws that guide their operation in a NIAC situation, which the *Boko Haram* situation signifies. They noted that the military and DSS had acted outside the rules of engagement of not ascertaining the actual identity of the victims before their attack. They recommended, among many others, that the northern states, from where all the victims came, need to orchestrate a deliberate pro-employment policy that can provide employment to the youth in the region. This can be done by harnessing their agricultural endowment, live-stock and the tourism sector.

Ya'u in chapter nine of the book examined insurgency, community reliance and human rights abuse in northern Bauchi. He used specific instances of *Boko Haram* attacks in especially northern parts of the state to draw the conclusion about the nature and pattern of the insurgency in the state and the efficacy of the activation of community reliance as a portent force in defeating the insurgency. His investigation revealed that community reliance is a portent force for defeating the insurgents, as exemplified by the way the people of Azare rose and confronted them. The study showed that *Boko Haram* members were embedded within the communities and implicated poor intelligence gathering among the intelligence and security agencies for this. He recommends the need for a rethinking about the military strategy of the Nigerian government in its efforts to overcome the challenge of the *Boko Haram* insurgency. In particular, he felt there was the need to re-engineer the military towards establishing better military-civilian relations that would allow for confidence and trust-building and, therefore, for the two to work together in dealing with the common enemy.

The common denominator of all the chapters is that human rights have been grossly abused and violated by the *Boko Haram* insurgents, as well as by Nigeria's security forces. Insurgency in the northern part of Nigeria has undercut the ability of the government to provide security for the people because its counter-insurgency strategy has not been carefully calibrated to target the center of gravity of the *Boko Haram* insurgency.

In the wake of the escalation in the brutal violence unleashed on villages and towns in northern Nigeria by the insurgent *Boko Haram* group, the

government has not been able to act decisively and authoritatively to compel all elements of state power - security, economic, social, and political - to work toward the destruction of the insurgent group. There is a sudden increase in the rate, size, sophistication and geographical spread of insurgent attacks, as well as the expansion of the types of targets they select.

Life, for many people in northern Nigeria, is gradually becoming “solitary, brutish, nasty and short” (see Shifdar 2008). The net effect is that human rights will continue to be abused and violated by the *Boko Haram* insurgents. Government needs to demonstrate its ability to protect and defend the fundamental rights of the citizens before it becomes delegitimized. The implication is that the citizens would have no other choice but to embark on self-help by organizing themselves for the defence of their communities.

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