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Nato Intervention in Libya and its Consequences on Global Security

By Nicholas Idris Erameh & Enemaku Umar Idachaba

University of Ibadan

Abstract- Against its moral appeal as a framework for protection of civilians from humanitarian catastrophe, the responsibility to protect (RtoP) seems not to have escaped a wider political context. Thus, questions of why, when and how force should be applied have incessantly trailed several intervention operations NATO's intervention in Libya. While the political misgivings of the Libyan regime under Gaddafi were conspicuous, this study argues that the Libyan intervention was however executed without recourse to certain procedural implications; Resultantly, the Libyan debacle has not only contributed to global insecurity, but has equally hampered international consensus building, weakened regional bodies and heightened suspicion amongst world powers, which partly explains the current stalemate on the Syrian crisis. Hence, this study recommends that there is an urgent need to rethink NATO's strategy in conflict management in Africa, and the imperative of institutional synergy between the United Nations and the Africa Union so as to bridge the institutional gaps, engender political will, and by extension the growth of the RtoP.

Keywords: *NATO, humanitarian intervention, responsibility to protect & global security.*

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Nato Intervention in Libya and its Consequences on Global Security

Nicholas Idris Erameh [α] & Enemaku Umar Idachaba [σ]

Abstract- **Against its moral appeal as a framework for protection of civilians from humanitarian catastrophe, the responsibility to protect (RtoP) seems not to have escaped a wider political context. Thus, questions of why, when and how force should be applied have incessantly trailed several intervention operations NATO's intervention in Libya. While the political misgivings of the Libyan regime under Gaddafi were conspicuous, this study argues that the Libyan intervention was however executed without recourse to certain procedural implications; Resultantly, the Libyan debacle has not only contributed to global insecurity, but has equally hampered international consensus building, weakened regional bodies and heightened suspicion amongst world powers, which partly explains the current stalemate on the Syrian crisis. Hence, this study recommends that there is an urgent need to rethink NATO's strategy in conflict management in Africa, and the imperative of institutional synergy between the United Nations and the Africa Union so as to bridge the institutional gaps, engender political will, and by extension the growth of the RtoP.**

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I. Introduction

In the periods before and during the cold war, intervention in the affairs of a state by another state or group of states was strictly regarded as a violation of the non- intervention principle. Indeed, for Glanville[1], within this period, a "firmly on – interventionist conception of sovereignty prevailed". However, the beginning of the 1980s and 1990s heralded a shift in the traditional conception of sovereignty. Thus, scholarship on international diplomacy began to reflect on the limits of Westphalia thinking. Accordingly, international relation scholars likeKrasner[2], Donnelly[3] are of the view that the greatest challenge posed to sovereignty stems from the globalization of human rights The importance of the practice of human rights within the international arena has, no doubt, compromised the conventional wisdom of the notion of state sovereignty. The time of absolute sovereignty and exclusive sovereignty has passed; its theory was never matched by reality"[4]

In particular, the huge tasks of effectively addressing the pervasive domestic conflicts of unregulated character that have remained protracted in Africa and the need to bring succor to humanity by preventing and terminating the gross violations of their fundamental rights, especially the vulnerable populations and 'minors' (i.e. sanctity of human life) has had considerable influence on the current thinking on security, sovereignty, and human rights discourses. Worried by this, the Security Council has, on several occasions, authorized the use of force with the aim of protecting civilians in humanitarian crises through armed humanitarian intervention. Kofi Annan[5] echoes that the rights of the individual affected the concept of sovereignty. It follows then that sovereignty is no longer looked upon as a sort of sacred cow. The violation of sovereignty is becoming more widely tolerated in situations where the rights of individuals are being trampled upon.

Libya, geographically tucked between Tunisia and Egypt, did not stay immune from the political wildfires of the Arab Spring. In less than one week after the demise of Mubarak's regime, the embers of minor conflicts which had been visible in other towns broke into a conflagration of widespread demonstrations when on February 15, several hundred of citizens of the eastern city of Benghazi gathered in front of a police station to demand the release of a human rights lawyer. In two days the protests spread to a half dozen cities resulting in a heavy crackdown by government forces leading to the formation of the National Transitional Council by opposition forces. Many watchers of international relations expected the precedent set in Tunisia to be replicated in other places such as Libya just as the Libyans had started a revolt against their longtime leader Muammar Ghaddafi. However, Col Ghaddafi, in his usual manner, fumed at such a call and this dashed the hopes of those international relations scholars, as Ghaddafi's forces launched a massive attack on protesters on a massive scale. In a bid to justify the intervention in Libya, Engelbrekt et al [6] were of the view that some of the earliest distinguishing features of the Libyan crisis included the willingness of Ghadaffi's regime to employ deadly and unrelenting force including heavy artillery weaponry against demonstrators compelling the opposition to arm themselves in defense against the regime's belligerence. Also, Human Rights watch put the death toll at 84 People who had been killed by security forces in the first few days of peaceful protests against Gaddafi's regime[7].

While the international community responded swiftly to the brutal killing of protesters in Libya and call for an end to the hostility in Libya, Ghaddafi's forces

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continued to unleash mayhem on the protesters with Ghaddafi calling them "Rats" and "cockroaches'' while threatening to kill 'from alley to alley, from house to house, from room to room' and that he would show no mercy.' In his speeches in February 2011, Gaddafi used language reminiscent of the 1994 radio broadcasts calling for genocide in Rwanda; he referred to the protesters as "vermin" and publicly told his forces to show "no mercy" to rebels and to "cleanse Libya house by house" until they surrendered[8]. From the very beginning of the crisis, senior UN officials have predicted the imminent possibility of mass casualties and went about a response within the RtoP framework[9]. In response to Ghaddafi's threat, the United Nations Security Council adopted resolution 1970 which placed travel bans on Ghaddaffi and key members of his cabinet, as well as the freezing of their assets, and later adopted resolution 1973 which authorized the "use of all means necessary" to protect civilians in Libya.

Although resolution 1970 seems to have enjoyed a wide acceptance even among regional organizations, resolution 1973 and its consequent application in the Libya crises has generated a lot of controversies and that is what this study interrogates. Apart from the fact the NATO intervention ended up in a disorder, the post-intervention Libya has not only slowed down the further application of the RtoP doctrine, it has also led to global insecurity as evident in the Syria crises and the huge refugee problem in Europe.

II. Responsibility to Protect in Libya: A Theoretical Consideration

Failure to intervene or slow intervention which occurred in the 1990s in internal armed conflicts despite complex humanitarian emergencies accompanying such conflictsled to the introduction of the African union constitutive act of 2000 on the part of African leaders, and the concept of the Responsibility to Protect (RtoP) at the international level. Even though Africa leaders did not use the concept of responsibility to protect, the language of *Article 4 (h)* and (j) suggests that the Africa union was also concerned about the move from non-interference to not in - the d the differencein member's states affairs. At a regional level, the African union constitutive act resonated in this regards. Specifically, *Article 4* (h)[10] authorizes the AU to intervene in member states in pursuant to a decision of the Assembly in respect of grave circumstances, namely; war crimes, genocides, and crimes against humanity. While 4(j) [11], gives the right of member states to request intervention from the union in order to restore peace and stability. Also, the responsibility to protect ushers in a new understanding that aims to transform the negatively perceived notion of the "right to intervene" into "responsibility to protect".

Though first muted in 2001, the concept of RtoP gained greater prominence in 2005 following the outcome of the UN World Summit Document. The Summit unanimously adopted the RtoP concept as a guiding principle to intervene in civil conflicts. It also empowers states, regional organization and international institutions to play a key role in the RtoP process, while the authority to employ last resort and intervene militarily rest solely on the UNSC and the general assembly[12]. The concept, was, however, adopted by large numbers of states in 2009. Since the adoption of the RtoP, it has been invoked in the Kenya post-election and Zimbabwe crises. However, Libya remains the real first case where the doctrine was fully invoked through Resolution 1970 and 1973 respectively.

The NATO intervention in Libya has sparked a lot of debate, especially among international relations scholars. Different positions have therefore been advanced in this regard. While some concern themselves with the justification for NATO's action, some focus on the legality of the intervention, others have focused on the means, intentions, and outcomes of these interventions. From a constructivist position, James Pattison draws from the just cause principle as contained in the ICISS document to justify the Libya intervention. As he puts it; "Ghaddafi regime had shown its readiness to massacre his people through the initial killing of 1,000 to 10,000 people. It had also made clear Ghaddafi's intent to commit further massacres when he enjoined his supporters to go out in Benghazi to attack protesters [13]. The Libya crisis remains unique as it represents the first case of humanitarian intervention for which the UNSC relied on the RtoP to justify its action. Taking a similar position, Weiss[14] Western & Goldstein[15] Stewart[16] concur that the NATO intervention in Libya represents the acknowledgment of the existence of the responsibility to protect doctrine, and that the international action in Libya sheds new light on the rationale for humanitarian intervention, and an attestation to the fact that world leaders seem to be committed to ending crimes against humanity.

Although those who have thrown their weight behind the justification for the NATO intervention might be right, at least, viewed on a short run perspective, the intervention seems to have been able to halt an "impending" genocide in Libya, and especially in Benghazi. Nevertheless, the way and manner NATO carried out the intervention in Libya, with indiscriminate aerial bombardments shows a high disregard for basic humanitarian laws and human rights. Ultimately, the questions that therefore arise are how do we rationalize killing more civilians to protect civilians? Also, what level of confidence was attributed to resolution 1970 before resolution 1973 was passed? And why is the international community still foot-dragging in halting the obvious and protracted killings in Syria?

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For Bellamy and Williams[17], there were reports of widespread and systematic attacks against civilian populations by the Ghaddaffi regime. Also, the Ghaddaffi forces had pushed fast to Benghazi (a rebel stronghold) making "overt threats to commit atrocities" against the civilian population in spite of resolution 1970. Citing "impending" massacre on the Libya people, especially members of the National Transition Council, they further argue that there was no other alternative to prevent Ghaddaffi from killing his people. Hence, Bellamy and Williams conclude that it was apparent that the "decisive action" required in such situation would have to be nothing short of military force.[18]In this regard, the UNSC consequently authorized resolution 1973 which called for the " all necessary means" to protect civilians, short of a "foreign occupation force", and, lastly, established a no – fly- zone. The problem with such position is a long standing problem between the North and the South, especially as it concerns how laws are made, who made them, how and why they are administered. There seems to be a serious western media hype of the situation in Libya which was used to justify the intervention in Libya, this does not justify the clamp down on rebels by the Ghaddaffi regime. The lack of coherent and adequate number of those killed before NATO intervened in Libya by the various media outlets exposes the flaw in the position of these scholars. Also, NATO and its allies bypassed the International Criminal Court of Justice which has the power to establish if truly genocide had been committed by Ghaddaffi.

On the contrary, studies such as O' Connell[19], Cohn[20] have all rejected the justifications put forward by the pro-interventionist. For them, the periods between which the UNSC passed resolution 1970 and 1973 respectively shows that enough time was not given to test the efficacy of the peaceful means before NATO's bombs began to fly. Chon[21] further argues that after the passage of the resolution, the Libyan government offered to accept a cease-fire, while Ghaddaffi offered to step down. However, the demonization of Ghaddafi, the imperial drive of the US, its allies and the fear of the members of the NTC made such offer not to be given a real thought. In Steven Groves article " *Obama Wrongly Adopts U.N. "Responsibility to Protect*" to Justify Libya Intervention", Groves argues that the President made the case for just cause, stating that "we were faced with the prospect of violence on a horrific scale" in Libya. Gaddafi was engaged in a "campaign of killing" and his forces were "bearing down on the city of Benghazi," and if not stopped would perpetrate "a massacre that would have reverberated across the region and stained the conscience of the world." [22].

Evidently, the grounds upon which Obama used in calling for an intervention in Libya have been found not to be true. The NATO intervention only succeeded in removing Ghaddaffi while leaving Libya worse than it was with dire security consequences around the world. Micheal Walzer raised skepticism about the situation in Libya and argues thus; "a military attack of the sort now in progress is defensible only in most extreme cases, Rwanda and Darfur, where we didn't intervene, would have qualified. Libya doesn't[23]. Also, the recent regret expressed by president Obama on the Libya intervention in an interview with Chris Wallace of the British Broadcasting Service (BBC) affirms this position. President Obama was quoted as saying "probably failing to plan for the day after that I think was the right thing to do in intervening in Libya. He went further to criticize France and the Uk, in particular saying the British prime minister, David Cameron became "distracted" after the intervention[24]. While media reportage plays a major role in bringing the world attention to crimes against humanity, experiences have equally shown that some of this reportage is highly exaggerated. Hence, relying on such is not only dangerous for intervening states; it also portrays the responsibility in a bad light. Hence, the importance of a sufficient judicial review cannot be underestimated given such situation.

Beyond the justification for or against, Jennifer Welsh focuses on the problematic ethics employed in the intervention process as well as the concerns of such action on humanitarian intervention and by extension RtoP. Welsh forwards two instances which suggest that the RtoP was abused during the intervention in Libya, Firstly, that resolution 1973 refers to the responsibility of the Libyan government to protect its citizens and not the international community. Secondly, the NATO intervention in Libya demonstrates that the principle of impartiality, advocated by the framers of the RtoP was not adhered to. Hence, instead of being a neutral actor in the conflict, the international community took sides with the rebels [25]. In violation of the arms embargo, France even provided weapons on an official basis before Russian protests stopped this practice [26].

Jennifer Welsh, Dembinski, and Reinold are not left alone in the criticism leveled against NATO's misapplication of the RtoP doctrine in Libya. In Maximilian Forte's book on the *Libyan war, slouching towards Sirte*, Forte [27] also argues that from the onset of NATO's intervention in Libya, it was clear that the imperial-power-warriors were using civilian protection as a "fig leaf" cover for their real objective of regime change and the removal of Gaddafi. Thus, for him, the imperial war on Libya's abundant oil was however perfected through an alliance with the rebel forces, serving as their air arm, but also providing them with arms, training and propaganda support. The imperial powers, and Dubai, also had hundreds of operatives on the ground in Libya, training the rebels and giving them intelligence and other support, hence violating Res 1973's prohibition of an occupation force "in any form".

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Attempts to equal justify the NATO interventions as having the right intentions have also been watered down by some scholars who make reference to the "prompt" intervention in Libya and almost inaction in Syria. For instance, Nuruzzaman[28] maintains that oil interest in Libya was the sole reason NATO embarked on a military invasion against the regime of Col Ghaddafi. He points to the fact that prior the invasion, some notable western countries like the US, France, and Britain had already entered into oil deals with the NTC. Also, Emadi[29], further affirms this position by insisting that the protection of "defenseless civilians" was not the major reason for the intervention in Libya; for him, it was a tactical move to punish Col Gaddafi's regime that has been at across road with Western imperialist. The point isn't just that western intervention in Libya is grossly hypocritical. It's that such double standards are an integral part of a mechanism of global power and domination that stifles hopes of any credible international system of human rights protection.

Similarly, Fred Agwu[30], on his part argues that whereas Africa is in dire need of unpretentious concern for human security and other associated benefits, the West seems to be only concerned with the so-called stability of the region in a bid to secure easy and unhindered access to the continent abundant resources. In assessing the real intention of NATO in Libya, Agwu concludes that such was implicit at the heart of Africa union disagreements with NATO in Libya, having been indicted of being enamored of regime change and access to Libya's oil. Attempts to adduce economic imperialism as the main reasons state intervene does not keep faith with the interventionism debate. Though, economic reason plays a vital role, however, instances abound where western countries have intervened in countries where there seem to be many economic interests. Although, the UNSC remains the true authority to authorize the Libyan intervention, the way and manner Res 1970 and 1973 were executed suggest nothing but a flawed intervention. In studying the lawfulness of the SCRC of 1970 and 1973 in Libya, Niels Rijke[31] raises three fundamental observations; first, the question whether the situation in Libya really endangered international peace and security, Secondly, the resolution enabled the Member States to take all necessary measures to protect civilians, including the use of force, whilst not all other means were exhausted. And finally, the central question is whether the sovereignty of a state can be breached when its leadership threatens the lives of its citizens in order to protect these citizens.

The conventional wisdom that the adoption of the Responsibility to Protect (RtoP) in Africa would help promote the protection of civilians, but Adam Branch does not agree with such assertion. For him RtoP, especially as it is applied to Africa, does not make political power responsible, but rather allows those with power to act in a politically irresponsible manner, at the cost of democracy and, often, peace. RtoP for Branch can promote political irresponsibility because of two factors: first, it tends to reduce all politics in Africa to effective protection capacity; second, it makes the legitimacy of the African state subject to determination by the "international community" according to vague moral standards. Whether the African state is deemed legitimate and thus supported or deemed illegitimate and thus coerced, neither it nor those acting in the name of the "international community" are accountable to those whose rights are supposedly being protected—African citizenries. He argues further that the moralisation and externalization of African politics undermine democracy and set the stage for African and Western political actors to avoid having to justify their actions politically or to face the consequences of their actions. Branch concludes that political power will only be made responsible when it is held accountable by those who are subject to it. To this end, he proposes replacing sovereignty as responsibility with popular sovereignty as a way of democratizing the RtoP discourse—even if at the cost of RtoP itself.

Taking a tougher similar position, Zubarui Wai[33] interrogates the upsurge in humanitarian interventionism in Africa disagreeing with those who see it in altruistic terms. Though the UN resolution that adopts the RtoP specifies four grounds for intervention: genocide, war crime, ethnic cleansing and crimes against humanity, Wai however argues that the elasticity and imprecise nature of these concepts mean that they could, and have in fact been, stretched as well as been manipulated to justify interventions that have little or nothing to do with humanitarian agenda. Drawing from experience of NATO intervention in Libya, he goes on to argue on one hand that concerns about human rights and humanitarian disasters have become a disciplinary mechanism for the dominant and more powerful states to intervene in the affairs of southern societies in order to pursue their own imperialistic agendas, while on the other hand he posits that concerns about " terrorism" have equally meant that conflicts, as well as other forms of political unrest, have come to be defined as a security challenge to the west. Wai concludes that most of the recent interventions in Africa – Libya, Cote d' Ivoire, Mali, CAR and so forth combine these models.

In summary, applying the concept of RtoP within the African continent presents its own challenges. These challenges relate to the nature of conflicts in Africa and the legitimacy of the African State itself. African states have continued to grapple with the problems of the contemporary conflicts that have engulfed the continent. These conflicts have manifested themselves in intra-state nature, where groups (non-state actors) find solace in ethnicity, religion, and so on as a rallying point to challenge the authority of the state in achieving parochial goals. As a result, African states

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have lost their status as the sole custodian of the legitimate use of physical force in the territory they claim to control and this has led to complexity in the application of humanitarian intervention and the responsibility to protect in Africa[34]. While the west claim to have a moral obligation to intervene in conflict, especially Africa, the lack of knowledge on the root cause of conflicts as well as the dynamics of the actors involved in these conflicts has therefore made liberal western interventionism counterproductive. This has posited "nothing new" critique of the concept of humanitarian intervention and the newly adopted RtoP in terms of their evolution, theory, practice and complexities in Africa civil wars. For Basaran[35], both concepts are associated with military intrusion in the affairs of sovereign states. Though RtoP aims primarily at the prevention of mass atrocities and regards military intervention as a final resort in exceptional situations, the substance of the RtoP doctrine is essentially the same as that of humanitarian intervention military intervention in (and as a result of) an internal crisis in a sovereign state. Moreover, Africa's bitter experience with the forces of colonialism, neo-colonialism and cold war politics have continued to shape Africa's perspectives on intervention with emphasis on devising African solutions to African problems.

III. Background to the Nato Intervention in Libya

The RtoP doctrine grew out of the frustration of the international community to its lackluster intervention in Rwanda and Kosovo. RtoP fundamentally presents the idea that states have a primary responsibility of protecting their citizens from genocide and ethnic cleansing. Should a state fail in that responsibility for whatever reason, then it falls upon the international community to take it up. According to the International Commission on Intervention and State Sovereignty, [36] the RtoP rests on three main pillars: (i) states have the primary responsibility to protect their own people from genocide, war crime, crime against humanity, ethnic cleansing; (ii) the international community has a responsibility to assist the states to fulfill its primary responsibility in building capacity to protect its people; and (iii) in case the state fails to protect its citizens from the four above atrocities or unwilling to meet that responsibility, the international community has the responsibility to take timely and decisive action to prevent violence and atrocious crimes.

However, before RtoP can be applied, the international community must first exhaust all diplomatic, legal and other peaceful measures; deployment of military force remains only as a last resort. The crisis in Libya was the first case where the RtoP was fully invoked in a bid to put an end to the loss of lives. The RtoP also sought to remind Ghaddaffi of his primary role of protecting his citizens. With such stark conditions domestically and with diminished international pressure on the Gaddafi regime to reform, few people expected the revolution of 2011 by Mohamed Bouazizi, a street vendor, would provide the catalyst for a series of protests (now called the Arab Spring) that spread throughout the Middle East and Northern Africa in protest of government corruption and economy misery. He lit himself on fire to protest the seizure of his produce-laden wheelbarrow and the physical mistreatment he received at the hands of public officials. Bouazizi's death sparks series of protests in his hometown (Tunisia), which rapidly spread to surrounding areas and, eventually, the capital city of Tunis. Mere twenty-eight days following Bouazizi's self-immolation the Tunisian government fell and President Zine al-Abidine Ben Ali fled to Saudi Arabia in exile [37].

Inspired by the Tunisian experience, mass demonstrations against the politically bankrupt regime of President Hosni Mubarak began soon after in Egypt. The spirit of the uprising in Tunisian rapidly spread to other nations in the Arab world, being fueled by widespread discontent about unemployment, increasing costs of living, corruption, and autocratic leaders. Egypt fell in only eighteen days, with Hosni Mubarak being forced to step down and leave the country. Libya was also not spared from this series of protest, especially against the perceived autocratic style of leadership adopted by late president Ghaddaffi.

Consequently, following the anti- government movements in neighboring Egypt and Tunisia, Libya itself soon became the next nation in the Arab world to feel the effects of populist uprisings. On February 15, riots broke out in the city of Benghazi following the arrest of a human rights activist, which then turned into a conflict against the government with the protesters ultimately calling for Gaddafi's resignation [38]. The crisis that started out with peaceful demonstrations quickly turned into an internal conflict after street protests were violently suppressed by the Government, especially in the eastern parts of the country. The protests that began notably in the country's second city, Benghazi, which became the opposition's major stronghold and was soon subject to shocking brutality as Muammar Gaddafi dispatched the national army to crush the unrest, spread within weeks across the country [39] .Nevertheless, violence quickly escalated, with reports of the deaths of 24 protesters on 17 February, and of security forces attacking peaceful protesters with teargas and live ammunition. As of March 2, 2011, the exact death toll was unknown, with U.N. Secretary General Ban Ki-moon citing reports that around 1,000 people had died in the conflicts in Libya since February 15, 2011, and one Libyan human rights organization claiming that possibly 6,000 people had been killed [40].

More striking is the fact that the Ghaddaffi's regime did not in any way show signs of weakness in

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terms of responding to the protest against his policies. A furious Ghaddaffi expressed aclear intent to continue committing massive human rights violations by announcing to Benghazi residents that his forces would show no mercy to rebels. Gaddafi once more issued threats to protesters which Kinsman describes as disturbingly similar to radio broadcasts before the massacre in Rwanda, saying we will march to cleanse Libya, inch by inch, house by house, home by home, alley by alley, person by person, until the country is cleansed of dirt and scum[41]. As if this was not enough, Ghaddaffi son Saif al-Islam Gaddafi, on 21 February 2011 was quoted as boasting that: Libya is at a crossroads. If we do not agree today on reforms ... rivers of blood will run through Libya…We will take up arms…we will fight to the last bullet. We will destroy seditious elements. If everybody is armed, it is a civil war, we will kill each other…Libya is not Egypt, it is not Tunisia[42].

The UNSC decision to intervene in Libya is said to be the first time that the international community is setting in the full application the new RtoP concept for a forceful intervention in another state. When taking the decision to intervene in Libya using its Chapter VII powers, the UNSC equally found ample legal evidence in accordance with the RtoP principle, namely that the Libyan government had failed to protect its citizens by itself committing gross violations of their rights. Shortly before resolution 1973 was adopted, it was apparent that Libya had manifestly failed in its responsibility to protect its citizens[43]. With Ghaddafi's forces on the outskirts of Benghazi, the risk of civilian massacres seemed highly apparent if the city was allowed to fall. Urged on by the Arab League, ten UN Security Council members supported Resolution 1973 (Bosnia-Herzegovina, Colombia, France, Gabon, Lebanon, Nigeria, Portugal, South Africa, United Kingdom and the United States) and five abstained (Brazil, China, Germany, India, and Russia). Although the AU did not call for a no-fly zone, all three African members of the UN Security Council voted for Resolution 1973. Such a vote was entirely in keeping with Article 4(h) of the AU's Constitutive Act, which advocates a policy of non-indifference, rather than non-interference, in the sovereign affairs of other states when grave circumstances, including crimes against humanity, are concerned [44].

Resolution 1973 was however adopted in Libya authorizing the use of all necessary means to protect civilians, short of foreign occupation force and established a no – fly – zone. Resolution 1973 called for an immediate cease-fire and a complete end to violence and all attacks against, and abuses of civilians. The UNSC stressed the need to reinforce efforts to find a solution to the crisis which response to the legitimate demands of the Libyan people. The text employed the phrase all necessary measures, including coercive military action but short of a foreign occupation force. Essentially, the highlights of the resolution was the protection of civilians and civilian populated areas under threat of attack, and the imposition of a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians .

IV. The Mistakes Nato's Intervention in Libya and its Consequent Effect on Global Insecurity

Despite its humanitarian pretext, the NATO intervention in Libya has thrown up some emerging consequences for Libya and the international community. Notably, the question of who has the legitimate authority to intervene and how such intervention should be carried out became an immediate problem among Western states and their African counterparts. Since the UN Charter does not permit the use of military force, the decision to intervene was only supported by the contentious RtoP doctrine. According to *Chapter VIII* of the RtoP, regional organizations "shall make every effort to achieve pacific settlement of local disputes through such regional arrangements". Hence, since there was practically nowhere in the UNSC pronunciation where the mandate was handed over to NATO, NATO's action runs contrary to *paragraph 8* of the UNSC Res 1973 which strictly imposes the duty to intervene on regional bodies. In addition, these regional bodies customarily draw their legitimacy for intervention in conflicts from *Chapter VIII* of the UN charter. The implication of the foregoing is that since the muddled intervention in Libya as well as the misinterpretation of who has the right to intervene coupled with the controversial phrase "All means necessary", Russia and China have continued to block international action in Syria. Thus, while the global powers express divergent views in Syria, mass atrocities is being committed on Syrians by the Assad government, and these have led to mass migration with global security challenges across Europe.

Given that NATO which was primarily set up as a collective security defense pact during the cold war and continue to exist since then, blundered to have assumed the role of a regional organization. At best, NATO can only lay claim to *Chapter VII* of the UN charter which still disqualifies NATO from the role it played in the Libya Intervention. In this light, Fred Agwu [46], NATO lacks the capacity to function as a regional arrangement because it was totally fashioned towards the collective self – defense unlike the ECOWAS which possess the capacity to function as regional arrangement by virtue of its Additional Protocols of Non – Aggression of 1978 as well as the Mutual Assistance in Defense Matters of 1981. More so, the contents of the Res 1973 call for intervention through the regional organization, and

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nowhere in the document was neither NATO nor RtoP mentioned.

Evidently, why regional organizations such as the League of Arab States, African Union as well as the Gulf Cooperation Council seems to have earlier thrown their weight behind calls for an imposition of a No-fly Zone in a bid to persuade Ghaddaffi, it wasn't surprising that they all backtrack their decisions especially when it became clear that regional organisations were only playing gatekeeping roles in Libya. In response to the way and manner NATO carried out its earlier attack in Libya, the Arab League Secretary General, Aner Mussa, declares that " (W) hat is happening in Libya differs from the aim of imposing a no – fly – zone. Speaking further, he stated that the goal of resolution 1973 was the protection of civilians and that it never approved support for the rebels or regime change [47].

In spite of this position, NATO, and its allies carried out series of unholy practices to the dismay of these regional bodies. One of such astonishment is the NATO use of aerial bombardment in a bid to carry out the UNSC mandate. This not only blurs the lines between western imperialism and human rights protection but also establishes the inability of the NATO forces to distinguish between combatants and non-combatants, the bombing of a place of worship violated the basic international humanitarian law and the rules of engagement. *Article 35 (2)* of the *Additional Protocol I*, "prohibits against causing superfluous injury or unnecessary suffering to combatants", furthermore, *Article 57 of the 1999 Protocol I* which states that adequate precautions must be taken in the attacks. As it were, "if military exigencies permit, and unless surprise is considered to be an essential element of success, the commander of an attacking force must do all in his power to warn authorities of a defended place before commencing a bombardment".

Although conventional wisdom will suggest that the NATO's intervention in Libya brought succor to the Libyan people, however, the reverse seems to be the case, especially as the intervention and its outcomes turn out to be. In spite of the assurances from NATO on the strict enforcement of UNSCR 1973 which are as follows: a) end attacks against civilian populated areas b) withdraw to bases all military forces and c) permit unlimited humanitarian access. Not long into the execution of Res 1973, the feeling quickly emerged that NATO and its allies were not an impartial protector of civilians, rather they were seen to be pursuing the toppling of the Ghaddaffi's regime to ease access to it resources which eventually became successful as a result of the NATO forces backing the rebels. Hence, NATO's intervention was "less about protecting the population and more about regime change[48]. Consequently, against wide expectations that the death of Ghaddaffi would bring an end to hostilities in Libya, the country is today confronted with proliferations of arms as well as arise in terrorist activities. This has not only led to great political instability in Libya but also the spread of it. Considering the porous nature of borders in most African countries, the NATO intervention has resulted into increased terrorist activities among already failing states within the Sahel region of Africa, and, especially in Mali. Nigeria is also not spared from this global insecurity especially in the wake of increased activities of the Boko haram insurgents. More importantly, the transfer of weapons from armed groups and the National Transition Council in Libya to the rebels in Syria have apparently increased the intensity of violence with more and more deaths recorded day in day out. Apart from the wanton destruction of lives and properties in Syria, the international community is confronted with huge refugee and humanitarian crises with Turkey as worst hit.

The authorisation of resolution 1973 was the needed cover NATO and their allies desired to carry out its ulterior motives in Libya with the aid of the rebels. Hence apart from deepening into the huge oil resources in Libya, NATO also proved not to be a neutral party in the conflict. Evidently, the quick recognition of the National Transition Council (a body formed by those who were "opposed" to Col Ghaddaffi) by NATO as well as adding the activities of the rebel groups both in terms of arms, diplomatic support, military training run foul of the rules of engagement. By passing Resolution (1973), the UNSC gave NATO-deliberately or unwittingly- the right to aid rebels in their fight against Gaddafi under the Responsibility to protect (RtoP) façade [49]. Therefore, the Free Syrian Army (FSA), marveled by the activities of the NTC, attempted to employ such means in Syria. However, Not only that the FSA was left to their fate in terms of external support, Western nations who initially pledged to support the FSA have tactically withdrawn leaving the FSA to face the Assad government. Hence, the Assad regime continues to bomb this rebel stronghold day in day out, while the FSA remain helpless.

Considering that Ghaddaffi in his usual style vowed to fight to the end, his death remains an issue for antagonists of the NATO mission in Libya while posing grave consequences for the RtoP doctrine as a whole. Though so many versions abound as to how Ghaddaffi died, the more appealing is that of a video footage taken on camera phones which show a wounded Colonel Gaddafi being dragged, beaten and tortured but very much alive. Evidently, such cruel act suggests that the Geneva Convention related to the treatment of prisoners of war was violated; thus, the action of NATO and the thuwar forces who claimed to have captured Ghaddaffi constituted war crimes and punishable under Article 13, Article III of the Geneva Convention as well as Article 8 (2) (c) (iv) and Article 8 (2) (e) (ix) respectively. While, Article 13 of the Third Geneva Convention states clearly that "prisoners of war must at all times be protected

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particularly against acts of violence or intimidation against insults and public curiosity", Article III of the Geneva Convention explicitly prohibits "the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognised as indispensable by civilized people". Besides, since there were no news or evidences that Ghaddaffi attempted to escape from captivity, his eventual killing, either in the hands of NATO or the thuwar forces goes against the spirit of Article 3 (1) (9) of the Geneva Convention which expressly states that " under no circumstances may detainees be killed ".

No doubt, the killing of Saddam Hussein, Osama Bin Laden, Ghaddaffi (all leaders who play a historic role within their regions and their people, who also acted as stabilizing factors in the region), is likely to spring up new security challenges. For instance, since the demise of Ghaddafi, there has been an absence of central authority just as terrorist activities flourish. The Same can be argued in the case of Hussein who was executed by western imperialist. Afghanistan today is a hotbed for terrorist activities with great implications for Europe. Terrorist groups have now shifted their activities to Europe with France, Turkey, Saudi Arabia, and Germany as early victims.

V. Conclusion

In contrast to claims by NATO and their allies that thousands of people were about being "massacred" in Benghazi, NATO's destruction of Libya was nothing but a war crime committed against Libyan people. It also violated the UN Charter as well as the rules of engagement in armed conflict. Even though some scholars have argued that the intervention, to a large extent was successful in that it "deter" Ghaddaffi from killing his "people", the way and manner NATO carried out its campaign suggests otherwise. The Post intervention era in Libya further exposes the flaws associated with the NATO intervention. Hence, Its involvement in Libya portrays severe implications for global security as the activities of terrorist groups in Libya has spread widely, spawning the war in Syria, the birth of the Boko haram in Nigeria, various militia groups in Africa, and of course leading to the coming of ISIS / ISIL. Evidently, NATO's action in Iraq, Libya, amongst other points to a post 9/11 agenda to create instability in those regions. Hence, Libya today is in tatters just as it stands as a ready option for launching of terrorist activities across Europe. The activities of the ISIS (a body which came up after the fall of Ghaddaffi) speak volume in this direction. More so, in arriving at the real reason behind the global insecurity as experienced now, it is imperative to investigate what the crime was in Libya that warranted Resolution 1973, and who were the criminals. This has become imperative because a careful look at the intervention in Libya would suggest that the crimes, for which Ghaddaffi was indicted and subsequently killed, were also committed by NATO and its allies committed same, if not worse in Libya.

Ultimately, global insecurity has its roots in Western imperialism through the activities of NATO in the affairs of sovereign state. This study, therefore concludes that for the RtoP to live up to expectations, NATO and their allies need to review its operational strategy, especially as it concerns the use of force. The world has gone beyond NATO unacceptable excuses of "Weapon Malfunction" to commit mass atrocities against civilians. Also, there is the urgent need for institutional synergy between the United Nations and the Africa Union since regional organizations enjoy the confidence of their members in the authorization of the RtoP doctrine in terms of Pillar III (power to intervene in member states in a conflict situation).

Importantly, regional organisations needed to stand up to these challenges in terms of political settlement of averting these conflicts through early warning system. Also, the ICC needed to beam their search light not only to Africa Leaders but to foreign counterparts who violates basic international law principles, as it is in the case of NATO officials in Libya. Lastly, members of the opposition parties in countries that play acritical role in NATO operation need to checkmate the activities of this body, and lastly, the RtoP must wake up to its primary objective of prevention as a key strategy to avoiding conflict.

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Challenges in Nigeria's Democratic Institutions: Accountability in Focus

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Abstract- This paper looked at the challenges facing Nigeria's democratic institutions with particular reference to accountability which has been regarded as the alpha and omega in democratic governance. This is because any government that lacks accountability lacks everything as accountability provides opportunity for checks and balances between and amongst the various democratic institutions. This paper revealed that there is absence of accountability in almost all the institutions of democracy in Nigeria which had led to the high degree of corruption witnessed in the country in recent time. The paper concluded that until and unless Nigerian leaders see accountability to the citizens as an important factor in the governance of the nation, Nigeria will continue to remain under developed economically and politically and will be very far from the democratic destination. Theoretically, the approach taken in this research is to recognize the political institutions as organs through which political activities are carried out on behalf of the people. The approach also focused on how the relationship between citizens and these institutions provide a principal-agent related result. Methodologically, this paper adopted qualitative method of data collection for its analysis.

Keywords: *accountability, democracy, institutions, governance, nigeria.*

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Abstract- This paper looked at the challenges facing Nigeria's democratic institutions with particular reference to accountability which has been regarded as the alpha and omega in democratic governance. This is because any government that lacks accountability lacks everything as accountability provides opportunity for checks and balances between and amongst the various democratic institutions. This paper revealed that there is absence of accountability in almost all the institutions of democracy in Nigeria which had led to the high degree of corruption witnessed in the country in recent time. The paper concluded that until and unless Nigerian leaders see accountability to the citizens as an important factor in the governance of the nation, Nigeria will continue to remain under developed economically and politically and will be very far from the democratic destination. Theoretically, the approach taken in this research is to recognize the political institutions as organs through which political activities are carried out on behalf of the people. The approach also focused on how the relationship between citizens and these institutions provide a principal-agent related result. Methodologically, this paper adopted qualitative method of data collection for its analysis.

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I. Introduction

Democracy has become one of the most important concepts that have become subject of debate in recent years in Africa and Nigeria in particular. Democracy has become widely recognized as prerequisite for sustainable development and this is so because democratic governance fosters transparency, accountability, rule of law, respect for human right, civil participation and civil inclusiveness, all which are necessary for securing economic productivity, equitable distribution and state legitimacy.

In democracy, it is a known fact that the state as well as whatever that goes with it politically is considered to be the business of the people directly or indirectly. This is one of the reasons why defining democracy is not free from firm emphasis about the involvement of the people (Hibbing and Theiss-Morse, 2002; Shima 2004; Susan 2005). Importantly, the philosophy of deceasing from the serfdom thinking that people are state's property rather than perceiving the people as being owned by the state, in this context, exponents of social contract theories are of the opinion that the state or government is a product of consensual arrangement amongst people (Gauba, 2003). Noteworthy therefore, is not the classical Greek epistemological definition of democracy, but the utmost relevance being accorded to 'consent of the people as underlying element of the concept across times. According to Dicey (2008), it will be unwise and makes no sense in a democracy to enforce any laws not approved by the people themselves. For Bryce (1921), democracy is the rule of the people expressing their sovereign will. The domain of exegesis is not whether or not everybody within the given political entity should be given the approval to government. The fundamental issue here is that the power of the people to interrogate the polity is a cardinal rite in democracy.

Importantly, the way and manner in which the people can interrogate the polity varies considerably in line with time and space. Truly, the universal trend assumed by the values of democracy has caused tremendous escalation in politics and attendant increase in governmental sizes (Lassen, 2000). So many groups have been mobilized to join politics in Africa and Nigeria in particular, thereby increasing dynamism and raising the socio-cultural pluralism. The result of this trend will be unequal competitions that head towards instability. Huntington (1968) explains in his thesis on political order in changing societies that the mid 1900 was characterized by dramatic increase in violence and disorder around the world. To him, this was majorly because social and economic changes extended political consciousness, multiplied political demands and broadened political participation. Meanwhile, democracy should be seen as the mantra of social order, that is, it was supposed to contain all these interactions essentially with the view that politics should be seen as the reconciliation of conflicting interests (Akindele, 2012). This, therefore, cannot be wholly ruled out of context to define democracy in the light of Schumpeter (1976) who in his critical though, agrees that there is competition for decision-making power which is allowed by an institutional arrangement.

Schumpeter is not alone in the notice of institutionalism of democracy. Liberal democracy is distinguished from other forms of political system by certain moral rules and features, that is, its procedure and institutional arrangements. In the view of J. Bentham, J. Locke, J. S. Mill, institutions are necessary

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for the realization of democratic principles; the principles are also necessary for the institutions to not to be reduced to mere formality (Gauba, 2003). In the opinion of Huntington (1968) the cause of political instability especially in countries of Asia, Africa and Latin America is lack of virile and functional political institutions. He posits further that since the traditional institutions could not cope with recurrent social changes and thus their capabilities were undermined. Huntington, arguing for the essence of political institutions, puts further:

> The rates of social mobilization and the expansion of political development are high; the level of political organization and institutionalization are low. The end result of such action and inaction is political instability and disorder. One of the fundamental problems of politics is the lack of development of political institutions behind social and economic change (p. 5).

Institutions have created comfortability for themselves in the arena of politics, cutting across not just democracy but all forms of government and social structures (Huntington, 1968). The indispensability of institutions is so authentic in real politics that Peters (1999) holds: "most political actions happen within political institutions.

Democratic institutions anchored on representation and periodic elections are notably the legislature and the executive arm of government. Nonetheless, the working of these organs is a matter of concern. As Huntington (1968) probes, the difference between countries in terms of political development depends largely on the activities of their respective institutions notably, the executive and the legislature. In Nigeria, for instance, efficacy of political institutions, are seen either as structures or procedures, is under question (Ogbeidi, 2012). The question hinges more on relationship between the citizens regarding their roles, duties and the mandates entrusted them by the people. The people see their mandate more in the hands of the legislature and what has come to be called the executive council in Nigeria. The reason is not farfetched; these two institutions are the major players in public policy formulation and implementation; they are the determinants of the state finance; their existence in a democracy is relied solely on the votes of the citizens (Ojo, 2007). However, there is observed alienation of these organs from the people which has caused a diminishing effect on the trust and support they should get from those for whom they exist. Ogbeidi (2012) opines that official wrong doings are not easily approved by citizens in Nigeria because of the high level of corruption in the system. Thus, even while citizens become dissatisfied with political activities, as principals, addressing their agents becomes a serious burden of its own.

That not with standing, political accountability, challenging as it seems (in the view of Ogbeidi, 2012), is an important value of modern democracy. It is a method and system upon which liberal democracy works apart from others such as majority rule, government by consent, minority rights and so on. To this end, government must and should constantly remain answerable to the people who created it (Gauba, 2003). To Gauba, even John Locke who thought of government as a trustee of the power vested in it by the people for the protection of their natural right to life, liberty and property, nevertheless, felt that it could not be fully trusted. He wanted people to remain constantly vigilant thereby making those in positions of authority accountable. Therefore, the need for accountability becomes imperative and cannot be overestimated. This is more so as it affects the procedural character of such important political structures as the legislature and the executive.

This study will examine the procedural arrangement available in the legislature and the executive to make them practically accountable to the electorate in Nigeria.

II. What went Wrong?

The people constantly need to interact with the bearers of their political mandate; but the representatives, elected or appointed, work within procedural arrangement call the institution. An institution operates for the purpose of attaining a common political end even as actors within it harbor varying interests that should be protected. Fundamentally, members of institutions – president, governors, legislators, heads of electoral bodies, etc. –are fund of making reference to rules, conventions, and operational guidelines in order to justify their action and inactions. It is thus imperative to examine the extent to which such rules and procedures provide stewardship to the people for whom they exist and that is the reason why, this study examined challenges in Nigeria's democratic institutions with particular emphasis on accountability.

III. Theoretical Framework

The approach taken in this research is to recognize the political institutions as organs through which political activities are carried out on behalf of the people. The approach is also to focus on how the relationship between citizens and these institutions provide a principal-agent related result. It sees institutions as aggregations of rules that shape individual behavior. The individuals are actors within the institutions, who are capable of reacting rationally to incentives and constraints established by those rules. Thus, most of these individuals are expected to respond in the same way to the incentives (Etzioni, 1963); that is, they are bound by the same rules and common goal. By implication, therefore, an institution is a metaphor of its

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component actors as well as the principles of their operations.

Interactions among institutions, and between individuals and institutions, can be considered from the perspective of principal-agent models (Heclo and Wildavsky, 1974). The principal-agent model is also widely used for certain groups of public institutions or organizations. It was close to becoming the standard means of analyzing regulatory policy, especially in the case of the United States (see Peters, 1999). In most of these rational institutionalism approaches to political agency, the policy makers are assumed to be the principals. The basic purpose of the rules in the principal-agent model of institutions is about how to make fair and binding deals between those two sets of actors – the principal and the agent. According to Peters (1999),once those deals are made then there must be some means of enforcing the arrangements.

Essentially, this piece takes a turn and considers the legislature as well as the executive as agents and the citizens, principal. To this end, accountability denotes the duty owed by an agent to his principal, whereby the principal may demand from the agent an account of the work that the agent has been doing in the principal's name or on the principal's behalf, enabling the principal to sanction or replace the agent or terminate the agency relationship (see Jeremy, 2014).

The elementary accountability of an agent to his principal on the ground of this study goes as follows. The people, who are unable or unwilling to do something themselves that they want done, empower the institution (comprising actors representing them but bound by the rules) to do that thing on their behalf. The people are the principal and the institution is their agent, and when the agent's task is complete (or perhaps at regular periods while the task is being performed), the agent is required to give the principal an account of what has been done or what is being done and the principal is empowered to modify or terminate the agency relation in the light of this account (Peters, 1999; Jeremy, 2014).

So, in this blend of rational institutionalism and agency accountability model, the citizens actively demands an account from the institutions, as they are entitled to do, because it is their business that is being transacted by the actors within the institutions. Their tax is being spent, their affairs are being negotiated or litigated, and their obligations are being fulfilled. What is being done by the institutions is being done for them. Therefore, they– the people, voters, tax payers, or citizens – should play the ownership role: ability to interrogate, sanction, replace, terminate, reward or renew the relationship.

IV. A Discourse on Accountability

The concept of accountability has a long tradition in both political science and financial accounting. In political science, John Locke's theory of the superiority of representational democracy built on the notion that accountability is only possible when the governed are separated from the governors (see Grant and Keohane, 2005). It was also a major concern for the fathers of the American constitution, and few areas have been as fundamental to thinking about the political system in America as accountability. The central idea from that time still lingers: when decision-making power is transferred from a principal (e.g. the citizens) to an agent (e.g. government), there must be a mechanism in place for holding the agent to account for their decisions and if necessary for imposing sanctions, ultimately by removing the agent from power. In accounting, the concept's long tradition is more limited in scope, referring to financial prudence and accounting in accordance with regulations and instructions (see Barton, 2006), but the principle of delegating some authority, evaluating performance and imposing sanctions is essentially the same.

Accountability is one of the cornerstones of good governance; however, it can be difficult for scholars and practitioners alike to navigate the myriad of different types of accountability. Recently, there has been a growing discussion within both the academic and development communities about the different accountability typologies.

Accountability is of global demand. It is crucial to the establishment and maintenance of the effective and legitimate governance that the present-day world vitally needs. In the absence of suitably accountable global-scale and metropolitan regulation, Scholte (2012) posits, humanity today suffers major deficits in the provision of global public goods such as communications infrastructure, ecological integrity, financial stability, disease control, peaceful dispute settlement and potable water. Scholte's accountability is understood principally as a means to constrain power and make it responsive to the people that it affects, especially people who tend otherwise to be marginalized and silenced. This emphasis on *democratic* accountability contrasts in particular with a widespread contemporary discourse of 'good governance', in which accountability often figures primarily as a means to promote financial responsibility and efficient performance. According to Rick and Mitchell (2005), accountability exists when there is a relationship where an individual or body, and the performance of tasks or functions by that individual or body, are subject to another's oversight, direction or request that they provide information or justification for their actions. In the view of Rick and Mitchell (2005) therefore, the concept of accountability involves two

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distinct stages: *answerability* and *enforcement*. Answerability refers to the obligation of the government, its agencies and public officials to provide information about their decisions and actions and to justify them to the public and those institutions of accountability tasked with providing oversight. Enforcement suggests that the public or the institution responsible for accountability can sanction the offending party or remedy the contravening behavior. As such, different institutions of accountability might be responsible for either or both of these stages.

Across the diverse conceptions there is general agreement that accountability is a condition and process whereby an actor answers for its conduct to those whom it affects. In other words, if 'A' takes an action that impacts upon 'B', then by the principle of accountability 'A' must answer to 'B' for that action and its consequences. This principle also sometimes affects actions not taken by 'A' as they affect 'B'.

Accountability can be understood to have four principal aspects: transparency; consultation; evaluation; and correction. These apply whether the accountable agent is a global governance institution or any other kind of actor, be it a state, a corporation, a political party, a civil society association, a media organ or an individual. Other analysts have developed other fourfold conceptions of accountability on broadly similar lines, albeit with some different emphases (Coleman and Porter 2000; Blagescu *et al.* 2005; Ebrahim and Weisband 2007).

The concept of accountability can also be classified according to the type of accountability exercised and/or the person, group or institution the public official answers to. Rick and Mitchell (2005) postulated six varieties of accountability. Horizontal accountability is the capacity of state institutions to check abuses by other public agencies and branches of government. Vertical accountability is the means through which citizens, mass media and civil society seek to enforce standards of good performance on officials. Parliament and the judiciary act as horizontal constitutional checks on the power of the executive. The role of these two institutions can be further delineated in that parliament carries out 'political accountability' on the executive, whilst the judiciary is responsible for 'legal accountability' of the executive.

Social accountability, in the work of Rick and Mitchell (2005), is an approach towards building accountability that relies on civic engagement, namely a situation whereby ordinary citizens and/or civil society organizations participate directly or indirectly in exacting accountability. Furthermore, 'diagonal accountability' seeks to engage citizens directly in the workings of horizontal accountability institutions. This is an effort to augment the limited effectiveness of civil society's watch-dog function by breaking the state's monopoly over responsibility for official executive oversight.

According to Jeremy (2014), accountability is used in two main ways in political theory, only one of which has the fundamental importance for democracy. The first meaning is *Forensic-accountability*. On this conception, "accountability" denotes the liability of a person to have his actions assessed by a tribunal on the basis of some established norm, such liability being predicated on the availability of a process, formal or informal, to assess his actions in that way. The classic case is that of a person who may be brought before a court: a tyrant or a kleptocrat may be brought before a tribunal to answer for some offenses against the people subject to his rule. The second meaning is *Agent-accountability*. On this conception, "accountability" denotes the duty owed by an agent to his principal, whereby the principal may demand from the agent an account of the work that the agent has been doing in the principal's name or on the principal's behalf, enabling the principal by will to sanction or replace the agent or terminate the agency relationship.

A key argument put forth by Lindberg (2009) is that accountability as an analytical concept can be appropriated despite the current state of conceptual stretching and 'Byzantine' confusion. The way to do that to the concept and its usefulness for empirical analysis is to follow the classic approach to concept formation. In this approach, five key characteristics denote the conceptual core of accountability: 1) An Agent (representative, institution etc.) who is to give an account; 2) an Area, Responsibilities, or Domain subject to accountability; 3) a Principal (citizens, electorates, institutions etc.) to whom A is to give account; 4) the right of Principal to require Agent to inform and explain/ justify decisions with regard to Domain; and 5) the right of Principal to sanction Agent if Agent fails to inform and/or explain/justify decisions with regard to Domain. Lindberg further argues that some characteristics of accountability can take on two values (absence or presence), and these generate other several subtypes or categories of accountability. Each subtype occupies its distinct conceptual terrain denoting specific empirical phenomena.

It is pertinent to note, first, that ranking the various types of accountability in defined order poses a challenge. The differences amongst them are nominal and it makes no sense to use qualitative or quantitative techniques designed for scale or ordinal variables in analyzing outcomes comparatively across sub-types. Second, each type of accountability has its designated functions and is compatible with certain situations only; no one is a panacea for all kind of problems of restraining power.

For Osaretin (2009) and Shima (2004)a useful perspective from which to approach an understanding of political accountability is the idea of sovereignty. Political philosophers have submitted that sovereignty of the state ultimately lies with the people. The government

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as an agent of the state exists as a product of the Hobbesian and Lockean social contract to protect and safeguard values universal to the people. Elected representatives and public officials, (the bureaucracy) are only delegated the power to rule on behalf of the people (Adamolekun, 1980). Political accountability is therefore the accountability of the government comprising civil servants and politicians to the public and to legislative bodies such as congress or parliament.

McCandless (2008) defines public or political accountability as "the obligation of authorities to explain publicly, fully and fairly, before and after the fact, how they are carrying out responsibilities that affect the public in important ways". This view apparently equates accountability to transparency which Orngu (2006:5) defines as the openness guiding or regulating decisions and actions of government officials. He introduces a fundamental role for the people in his definition of accountability as essentially meaning holding officials especially public and elected ones, responsible for their actions and or inactions and thereby checkmating corruption and corrupt or sharp practices (Orngu, 2006:4). It is instructive to note that public officials are held responsible for their actions as a way of checking corrupt practices. Indeed Orngu is quite categorical in his opinion that accountability is the panacea to corruption. He opines that true stewardship requires faithfulness. Where there is faithfulness, there must certainly be accountability and no corruption and inevitably, good governance which is hinged on the two variables of accountability and transparency (Orngu, 2006:5, Ojo 2004, Sarker 2009).

Political accountability also involves the idea of "holding to account" which means obtaining timely explanations from public authorities and validating them for fairness and completeness. In other words, it means exacting the needed public explanations and auditing them, (McCandless, 2008). McCandless argues that it is the responsibility of the authorities to explain publicly, fully and fairly what they intend and why they intend it. The essence of public accountability is not after the fact published financial statements but full and fair public explanation before the fact that allows citizens and their elected representatives to act sensibly to commend, alter or halt the intentions. In striving to obtain accountability in states countries adopt various mechanisms which to Sarker (2009) follow the liberal democratic tradition and comprise legislative instruments, executive means, judicial and quasi-judicial processes, official rules, codes of conduct, official hierarchies, public hearings, interest groups, media scrutiny and so on.

In most literature of political accountability especially vis-à-vis democracy, Parliaments are key actors in what has been termed the 'chain of accountability'. They are, along with the judiciary, the key institutions of horizontal accountability, not only in their own right but also as the institution to which many autonomous accountability institutions report. They are the vehicle through which political accountability is exercised. Along with civil society organizations and the mass media, they are also important institutions in vertical accountability.

Nonetheless, the parliaments, being comprised of elected officials, are also functioning on behalf of those who voted them (Adamolekun, 1980). Thus, discerning logically on the 'chain of accountability', it is noteworthy to emphasize its cyclic tendency. The parliamentarian who calls the executive into account as government official is also required to give account to the same executive official who doubles as a citizen and voter. Accountability is not only relevant in the assessment of performance, it is also helpful in examining political participation, economic control, policy framing and, power and authority checkmating.

V. Institutions and the Working of Democracy in Nigeria

Although Nigeria recorded democratic episodes in 1960 to 1963, 1979 to 1983 and 1999 to date; its democratization project cannot be unconnected with the emergence of political parties in the 1920s. The 1922 Clifford constitution lifted the ban on politics and paved way for NNDP, NYM, NPC and other political parties to ferry the country with government and leadership agenda (Coleman, 1958). Meanwhile representation was only exclusive to Lagos and Calabar in the legislative council of which the focus was less on popular participation of the citizens; neither was the council accountable to people nor were the people involved in the making of important socio-economic and political decisions. The interest of the colonialist vested in an administrative structure or bureaucratic institutions that would enhance economic gains for the so-called mother-nation. Thus, even while political parties came up to play their role of aggregation of mass interest and to recruit leaders for the polity, and later: media houses which were to facilitate public awareness, all that could be attained were a form of vestibule of political training in colonial norms and values at the expense of the interest of Nigerian citizens (Coleman, 1958). The presence of democratic institutions such as political parties as indicated earlier and media outlets like the *West African Pilot* etc. did not ensure optimum participation and freedom of expression, or even consent of the people in state affairs, so the state was alienated from the people. More so, the political parties themselves, as well as their media counterpart, rather than performing their traditional functions on the verge of the country's monolithic aspiration, transformed into instruments of divisive ethno-regional pursuit of interest. This legacy was the inheritance bequeathed Nigeria by

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the divide-and-rule policy of the British Council as enshrined in the subsequent federalizing constitutions that broke the country into four un-affective regions up to independence (Iyare, 2004). Thus, at independence, the colonial institution and the constitution it left for Nigeria ushered in a civil kind of rule that was to be dictatorial and self-serving.

Of course, the coalition government of 1960 still harbored the regional biases indoctrinated in it by the parties that formed it. Torkaa (2004) argues that the NPC controlled the federal government soon after the independence and internal uprising greeted the system, especially from the regions. Then the ruling party took a mistaken advantage of events. For example, the then executive, instead of adopting democratic means, used the armed forces during the Western region crisis of 1962 in support of the NPC-favoured faction of the AGP. Similar situations were recorded in 1963, over census; and in 1964 over elections. These gave the military, particularly, an impetus that it was the best institution needed to save the nation from collapsing as a result of the emerging outrage of conflicts. Torkaa (2004) further argued that the saviour status accorded the military by the democratic state immediately after independence accounted for over throw of the latter by the former. And, to him, further democratic history of Nigeria always counted on the principles and institutions crafted by the military regimes. The 1979 and 1999 episodes of democracy were staged on the political landscapes designed by the military. Both constitutions were of the military making, thus the institutions – legislature, judiciary, executive, electoral umpires etc. – were arguably more of military orientation than representing popular entitlement for all citizens in the polity. Nevertheless, the role played by the military in the democratic project of Nigeria is negative. The about twenty-nine years rule (Elaigwu, 1979; Adejumobi and Abubakar 1999) distanced the people from democratic norms and values; most significantly, the 1993 annulment of an elections adjudged freest and fairest till date not only implied to electorates that their votes did not count, but also indicated that the electoral institutions are no deciding factors in who takes the polls. It also relayed to Nigerians that the national unification and cohesion displayed in that election was entirely irrelevant. Adejumobi and Abubakar (1999) clearly stated that the military mentality which has to do with the use of force instead of resulting to dialogue and consultation, forcing of choice on civilians as well abuse of freedom were inherited from the colonial administration whereby the Governor Generals were retired military officers who have been offered the 'conqueror's assignment' to the colonies. This, in his view, has been going down across Nigeria's history to date.

Apart from the colonial and the military institutions, the electoral process is also an element to be reckoned with in the democratization bid of Nigeria. Electoral bodies, since independence, have considerable roles in the democratic project of the country. Ibrahim and Garuba (2008) have traced the democratic direction of electoral management body to the post-independence federal Electoral Commission of Nigeria (ECN) of which case the appointments and removal of its chief executive was made by the president on the advice of the Prime Minister. The membership was said to be drawn from the then four regions of the country. The commission was mandated to delimitate federal constituencies, compile voters' register, construct polling booths, print ballot papers, recruit staff, register political parties and candidates, and to conduct elections. Soon in 1964, the commission conducted a general election that was greeted by criticisms and rejection of results from several quotas. The opportunity for the functioning of the electoral commission, which lies in continual practice and re-strategizing, was foreclosed by the military rule between 1966 and 1979. In 1976, though, the military regime established the Federal Electoral Commission (FEDECO) and backed it by Decree 41, 1977, of which section 4 empowered the commission to become an autonomous body in the discharge of its statutory duties (Ibrahim and Garuba, 2008).

By 1987, the military regime established the National Electoral Commission (NEC) to replace FEDECO with similar functions and additional task of implementing the government's ban on erstwhile political and public office holders from partisan politics. There were other socio-political roles which included collaboration with other institutions at revamping the political culture of the people. The electoral body enjoyed little autonomy and the situation gave rise to a tenuous relationship between its leadership and that of the military government, hence the chief executive officer was removed (Aderemi, 2005). The new NEC did not get anything less, however. The thirteen political parties it recommended for transition election was rejected, and, it was forced to make do with only two. Nonetheless, the NEC refused to postpone the June 12, 1993 presidential election and also declared the results of fourteen of the thirty states against all military odds before the government deployed its coercive machineries to stop it (Ibrahim and Garuba, 2008). Essentially, the military manipulation of NEC resulted in series of structural and functional inconsistencies for the electoral authority. Whatever was the case, the election was popularly commended and its eventual cancellation was considered as theft of mandate by Nigerians. The displeasure was carried over by Nigerians till November 1993 when the military regime of Abacha dissolved NEC and replaced it with the National Electoral Commission of Nigeria (NECON). The new body went apparently under the grand manipulation of the government, with all the elections it conducted into councils, states and

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federal legislatures described as highly ineffective and inefficient (ibid). The regime of Abdulsalami restructured the electoral body and named it Independent National Electoral Commission (INEC) which conducted elections from 1999 to 2015. Although the first election conducted by INEC in 1999 was excused by many writers (Olarinmoye, 2008), Aderemi (2005) argues that INEC turned out to be highly susceptible to grand manipulation by the government and seemed to have facilitate electoral fraud in favour of the then ruling party, PDP during elections. This sad development, according to (Olarinmoye, 2008), continued up to the April 2007 general elections, largely adjudged by Nigerians as the worst in the history of electioneering in the country. In 2011 general elections, the Independent National Electoral Commission was not anointed either; its autonomy was apparently questioned especially when it got the government granting all the huge episodic financial requests without much ado. More so, the 2011 general elections were considered the costliest election so far in Nigeria. Although it was commended for procedural quality, the election has been said to be marred by massive rigging, reckless use of money as inducement which influenced the decisions of voters, unnecessary deployment of the military personnel to intimidate voters and their perceived opponents alike, in favour of the then ruling party – the Peoples Democratic Party (PDP) (Akindele, 2012).

Basically, electoral authorities in Nigeria have never enjoyed any form of autonomy that could enable them serve their real purposes. What obtains across the Nigerian time and space are situations of instrumental use of electoral institutions by governments. This has been largely associated with the military control system, since it was the military that played the role of establishing the country's electoral institutions from post-ECN days to date. The absence of independence of electoral bodies is enhanced by laws that set them under the heads of states in terms of powers and finances.

VI. Accountability and the Mandate of Representation

Many democracies since the dawn of the twenty-first century operate under a minimalist understanding of the term. On this account, democracy requires only a stable, competitive electoral system with broad suffrage, institutionalized political parties, and alternations in power (Schumpeter, 1976; Przeworski, 2000). In contrast, though, Susan (2005) challenges this definition and argues that full democracy cannot be attained unless the policy-making process is accountable to citizens through transparent procedures that seek to incorporate public input. In a democracy, individuals and institutions must justify the exercise of power over others, and success in an election is, she argues, insufficient to make this claim.

By and large, little emphasis is often given to broader issues of popular control and government accountability outside the electoral process. This relative neglect has been costly for countries: Susan Rose made an illustration of Poland and Hungary. The costs are not primarily economic. There is also an increased risk of popular disengagement from political life based on disillusionment and distrust of the state and its officials. Political apathy most times, reduces the efficacy of elections in bringing representation to account by way of replacement or termination of its tenure. This is because low voter's turnout would suggest low competition and possible absence of proper contestation.

Of course, elections provides avenue for substitution of unwanted representation, this is more so where it fulfils maximum attributes of credibility. Aside that, and especially in less developed democracies, elections serve mainly as platforms where politicians propose for representation and the citizen use their votes to assign them the mandate. Accountability deserves greater emphasis than how the transition ensues (Przeworksi et al, 2000). It is the mandate paradigm held by the citizens that makes accountability a continuous process rather than periodic as elections make it seem. Fundamentally, voters are skeptical, most policy implementers have pegged terms of office. Thus, putting on stay their stewardship till the end of tenure may have no use. As politicians pursue the mandate, therefore, voters want to be sure that:

1. Their interests and those of the representation are in agreement.
2. Representation pursues the interests in best interest of voters.

Impliedly, there is the need for some trappings of accountability outside of electoral arena (Przeworksi et al, 2000).

Susan (2005) holds that in a democracy, the government's need for popular legitimacy is much more salient. Contested elections are not sufficient but should be combined with procedures that promote accountability on a policy-by-policy basis. The state must take into account the interests and views of citizens – both broad-based attitudes and those directed toward particular policy choices.

However, the minimal state is not one that retrenches the unjustified exercise of power. If the roles of the state are not sufficient, then constitutional and administrative systems need to require the state to justify its actions and ought to enhance its competence. Elections limit the power of individual politicians and political parties, and map citizens' preferences and goals into public policies. But that is only one step toward the construction of an accountable and competent democracy.

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Under the simple, parliamentary model, the track for citizen influence is only through political parties in the legislature. However, in practice, the cabinet and the ministries make policy under statutory mandates and hence, organized groups and citizens are likely to want to influence these decisions. Major issue of institutional design is how to channel and manage that participation in a way that enhances policy-making accountability without undermining government effectiveness. The options sketched above do this in different ways. The first two use international pressure and independent government bodies, respectively, to limit the role of private groups, reduce bias, and provide internal checks. In the third, political parties are important but only through their state and local branches (Kisilowski, 2004). The participatory options seek to incorporate organized groups and citizens directly into the national policy-making process. The social dialogue model does this through officially recognized groups that are members of a statutorily mandated council. The state specifies which groups are allowed to sit at the table but then delegates some decision-making authority to the council. Under the public participation model, the state organizes a more open-ended process to gather public input, interest group views, and expert opinions. Public officials, however, have ultimate decision-making authority. In between is a model of "civil dialogue" that combines the creation of a permanent body of stakeholders with a public agency that has decision-making power.

VII. Conclusion

Just as democratic support assumes many different forms, so does political representation. Although most representation studies focus on the idea of *substantive* representation, or the correspondence between the outcomes citizens want (e.g. policies, goods, performance) and those produced by the government, an equally important component of representation is its *procedural* dimension. Citizens expect governmental procedures and the processes by which government works to be fair. Procedural fairness is concerned less with outcomes and more with the processes by which governmental policies are made and administered (Tyler 1989; Dahl 1989). According to Tyler (1989:103), irrespective of the policies and the outcomes generated by the government, citizens' evaluations of procedural fairness are based on assessments of whether authorities are motivated to be fair, are honest, and follow ethical principles of conduct, whether opportunities for representation were provided, and whether authorities behaved in a biased fashion. Importantly, judgments of procedural fairness or unfairness have heady consequences for citizens' behaviour beyond mere expressions of dissatisfaction with elected officials. Widespread perceptions of procedural unfairness undermine citizens' willingness to obey laws and authorities, as well as their fundamental perceptions of governmental legitimacy (see Tyler 1990; Hibbing and Theiss-Morse 2002).

Finally, until and unless Nigerian leaders see accountability to the citizens as an important factor in the governance of the nation, Nigeria will continue to remain undeveloped economically and politically and will be very far from the democratic destination.

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Pastoralism as a New Phase of Terrorism in Nigeria

By Idowu Adetayo Johnson & Okunola, Taofik Biodun

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Keywords: *pastoralism, terrorism, livestock, herdsmen, farmers, local communities.*

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Pastoralism as a New Phase of Terrorism in Nigeria

Idowu Adetayo Johnson [α] & Okunola, Taofik Biodun [σ]

Abstract- The need to feed livestock of herdsmen necessitates their migration from their communities due to inadequate pastures to other communities and this has led to the trespass of these pastoralists to the farmlands of local agriculturalists and destruction of their crops thereby leading to conflict. This study therefore analyses the causes, evolution, dynamics and solutions to the conflicts generated from the farmers-herdsmen clashes in Nigeria. The study also recommends the formulation of national livestock development policy, effective community policing model, demarcation of livestock grazing reserves, provision of constitutional roles and recognition for traditional rulers and convening of stakeholders' conference on nomadic pastoralism as strategies for ensuring peace.

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I. Introduction

The Nigerian nation has persistently been in a fierce vortex and seemingly boiling cauldron of state terrorism. The Nigerian state has witnessed series of mind-boggling and unthinkable bloodshed and the geographical space – the terra-firma on the school atlas christened 'Nigeria' has in its earth the bones of millions of innocent people who lost their lives to avoidable clashes, the sun has dried the tears of many helpless and hopeless people who have lost their loved ones and the ground has also gulped the innocent blood of many who perished in various wars and violent movements which have characterised the state.

These violence are such as the Biafran war, the Zaki Biam massacre, the Odi massacre, the Niger Delta violence, operation Wetie, the Modakeke-Ife war, Maitatsine religious uprising, the Fulani-Birom clashes in Jos, the Bauchi religious riots, the Boko Haram terrorist activities, the Shiite group massacre in Zaria and the recent Fulani herdsmen terrorist activities which pervades every region of the country. These acts of violence have largely disrupted the state of peace and development in the Nigerian state. It is therefore imperative for the government of Nigeria to act swiftly to curb the conflict between the two groups to forestall the metastasis of the conflict to full blown terrorism in an already ethnically-strained country Nigeria which is just recovering from the violent acts of the Boko Haram terrorism.

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II. Historical Origin of the Fulanis

Found across West Central Africa, the Fulanis are said to be perhaps the largest semi-nomadic group in the world (BBC, 2016). They are found in large number in Nigeria but while some have moved into the cities, many are still living as semi-nomadic herders. The nomadic group basically spend most of their lives in the bush and are the ones largely involved in clashes.

According to Anter (2011) the Fulani is an ethnic group who are spread over several West African countries and in some places in Central African and the Sudan. The Fulani people can be found in Gambia, Mali, Mauritania, The Gambia, Sierra Leone, Burkina Faso, Guinea Bissau, Côte d'Ivoire, Central African Republic, Togo, Nigeria, Niger, Senegal, Guinea, Benin, Ghana, Liberia, Sudan and Cameroon. In Guinea, the Fulani represents the largest population and they are basically pastoralist agriculturists whose main occupation is nomadic farming, pastoralism, trading, herding of cattle, goats and sheep which they do across the vast hinterland of where they consider their domain and in many cases, keeping away from local agricultural population (Anter, 2011). The religious, political and socio-cultural identity of the Fulani of West and Central Africa can be traced to the eighteenth and nineteenth century Jihad with conquered communities (Azarya, 1996). According to Blench (1994), the Fulani originated from the Senegambia before spreading out into about 20 states which cut across West Africa and the Sahel as well as western Sudan and Central African Republic (McGregor, 2014).

The Fulani are the major providers of milk and meat in Nigeria. Their contribution to the dairy and meat industry is phenomenal and about 90% of the cattle in Nigeria are owned by the Fulani and they contribute about 3.2% to Nigeria's gross Domestic Product (GDP) (Abass, 2012). The Fulani are also responsible for the provision and hides and skin in Nigeria. In the pastoral system, young people more especially the male tend the herd to ensure their feeding. The conflict between herdsmen and the local communities can be traced to the beginning of agriculture (Abbass 2012). Okello *et al.* (2014) submits that it was the fall of the Sokoto Caliphate; colonialism and the introduction of the cattle tax were the major reasons for the initial dispersal of the Fulani to the southern part of the country. Basically, Nigeria has two major seasons – the rainy and the dry

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seasons. During the rainy season, the pastures begin to appear and this is the time when the clashes between the herdsmen and the people of local communities begin to occur due to their trespass into arable lands (Abass, 2012).

III. The Fulani Pastoralists and Terrorist Activities

There have been repeated and bloody clashes between the Fulani herdsmen and host communities for several years. These clashes according to BBC (2016) have claimed thousands of lives within a period of twenty years. It is further stated that in 2014, over 1,200 lives were lost which made these set of people the world's fourth deadliest militant group. In February 2016, there was an attack on farmers in Benue State which according to reports killed some 300 people (BBC, 2016). In April, 2016, there was another attack in Southern Enugu State which claimed about 40 lives and destroyed properties worth millions of naira leaving thousands fleeing their homes and rendering children orphaned.

On the part of the farmers seeking defence, some angry youths, local hunters and farmers in many communities in the country have however acquired weapons against unprovoked attacks by Fulani herdsmen. These people have also vowed to stop what they have described as mindless killings and destruction of their farmlands by rampaging Fulani herdsmen (Punch, 2016). In recent times, the Fulani herdsmen have reportedly killed hundreds in different states of the federation including Plateau, Adamawa, Benue, Enugu and lot of other states (Punch, 2016) the more disturbing aspect is that no prosecution has been made despite promises by security agencies in country. It is instructive to note that these herders are involved in criminal activities as they were reported to have invaded some places in Lagelu Local Government of Oyo State and made away with goods and cash worth N500,000 (Punch, 2015). The group is said to have grown very audacious such that they obstructed the convoy of the governor of Imo State, Rochas Okorocha at the state capital while the governor was inspecting state projects (Thisday, 2016).

Cattle grazing-related violence has been on the increase in Nigeria. According to Olayoku (2014) about 615 violent deaths have been recorded by the database of Nigerian Watch and there have been about 61,314 fatalities that can be described as violent. According to the scholar, in 2008, there were 31 reported cases of cattle conflict while in 2009 the fatalities soared to 83 all occurring most primarily in the northern states of the country. In 2010, iut was also observed that the occurrence of cattle grazing violence dropped to 39 fatalities with most of the cases occurring in the north but sad enough, in the following year, the occurrence rose to 116 fatalities with the highest occurrence being in Plateau state and the most sustained, lasting five days occurring in Benue State (Olayoku, 2014).

The major cause of this violence has been recognised as the invasion of farmlands by the herders and destruction of agricultural farmlands of people of the communities. In 2012, Nigeria recorded the highest number of fatalities when the record was put at 128 fatalities. Also, according to Joseph (2012) about 500 cows were reportedly lost by the Fulani herdsmen. It was reported that in Delta State, the herdsmen were armed and dressed in uniforms and when they were attacked by the local communities, it led to the display of headless bodies and raping of women and when the military tried to restore peace, another two persons were killed while militants were also involved in the fight using the opportunity to engage in robbery activities (O'Neil, 2012).

There were also violent cases in 2013 and about 115 casualties were said to have been reported and this spate of terrorism has remained a continuum. Several communities have therefore become hostile to the pastoralists farmers and particularly the Fulani herdsmen who have been dubbed a semblance of the Boko Haram insurgents due to their terrorising habit of host communities. In a sleepy town of Oke Ako in Ikole Local government area of Ekiti State some suspected herdsmen attacked the town and killed one of the residents (Olakitan, 2016). Also, in Uzaar in Tombo, Anyii in Logo and Vase in Ukum local government areas of Benue State, the herdsmen attacked killing 8 and 12 persons respectively (Duru, 2016) this incident led to the displacement of about 1,000 people from this localities rendering them homeless.

The Governor of Ekiti State, Ayodele Fayose was reported to have armed local hunters and urged them to be defensive in any case where there was an attack from the herdsmen (Saharareporters, 2016). A closely related case occurred in Delta State when Hon. Evance Ivwurie, a Nigerian lawmaker from Ethiope Constituency of Delta State led security agents into the forest in the outskirt of Abraka Kingdom which had become a hideout for the herdsmen in which the herdsmen had also dug a tunnel in order to gain access to attack the community. It is therefore imperative that the Nigerian government must do something to curb the persistent violence and terrorism of local communities by the Fulani herdsmen to forestall peace and tranquillity in these communities and also aid the friendliness of the Fulanis with local residents as well as ease their pastoral business.

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IV. Strategies to Curb the Persistent Fulani-Local Community Fatalities in Nigeria

As a nation just rising from the ashes of the Boko Haram insurgency, the herdsmen-communities clashes is something Nigeria cannot afford at the moment. The country has already lost thousands of lives and property to the Boko Haram insurgency and while more than a million people have been displaced, it is therefore important for the Nigerian nation to look critically into the pastoralist budding conflict before it degenerates into a full blown terrorism.

To achieve this therefore, Nigeria must ensure that there is the promulgation of the National Livestock Development Policy which will provide guidelines for livestock resources management. The government should also ensure that there is the development of institutional and technological changes which is necessary for the exploitation of the potentials which lies in the livestock sub-sector. This approach will enhance research and development of livestock breed, disease control and ways of addressing the ecological problems in Nigerian among others. The implementation of this policy is a viable route of solving the herdsmen-communities clashes in Nigeria. The government should ensure that it consults with the major stakeholders in the livestock sector such as the Maiyatti Allah and other relevant groups. The federal ministry of Agriculture and Natural Resources should ensure it initiates a consultative interaction with these groups.

The government can also implement community policing model can also help to forestall peace in the rural areas since the shortage in officers and men of the Nigeria Police could be seen as one of the reasons the herdsmen gain access into the communities to attack residents. This policy was launched by the Nigeria police force in 2004 as a pragmatic approach to police reforms and also a way of substituting traditional reactive and incident-based policing to a proactive problem-solving policing system. It seeks the effective community engagement in the provision of solution to policing issues and also developing partnership in the maintenance of safety and security in the society. This approach will also ensure that effective personnel were deployed to the rural communities and a good structure was maintained in the rural communities.

Another important approach is to ensure that there is a demarcation of the grazing reserves to forestall desertification. There is a need for environmental regeneration programme to mitigate the challenges of environmental desertification as most grazing reserves have been lost to this. The implementation of the demarcation of the razing reserves will ensure that there is enough grazing land for the herdsmen and will also encourage them to return to the abandoned grazing lands in the northern part of the country. There is a need for collaboration between the ministry of agriculture and environment to formulate this policy and develop modalities for ensuring that this goal is achieved.

There is also a need for convening of national stakeholders' conference on nomadic pastoralism where adequate attention to the peculiarities of pastoralism could be discussed and measures to eliminate clashes will be discussed. This will also be a platform where various parties could discuss their grievances and this will engender mutual understanding among conflicting parties.

The traditional institutions in the country should also be given constitutional roles and recognition and this will afford them the opportunity to exercise their authority as grassroots leaders and custodians of cultural heritage. This recognition will also help to reduce the need for traditional rulers to continue seeking relevance through active political patronage and enable them to focus on solving issues that deals with their communities while also thinking of bringing development to their local communities. Once this is achieved, community leaders will know how to engage the pastoral farmers in conflict resolution approach instead of attacks.

V. Conclusion

This study examines the Fulani pastoral farmers and local communities' clashes in Nigeria as a form of budding terrorism and threat to national security. The study established that the persistent conflict has a negative relationship on national peace and security and it has been on the increase in recent times more especially in 2016 where several people were killed in Enugu and Benue States with several attacks in the South West and prominently, in Ekiti State. The study therefore established that policies and programmes were not effectively implemented with generated issues that influenced the persistence of conflicts between farmers and herdsmen within the country. It was therefore recommended that the Nigerian government should endeavour to implement grazing reserves, laws enforcement and socio-cultural dynamics as possible routes to curb the violence.

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African Enslaving Africans: Human Sex Trafficking as a Trans-National Crime; The Edo-Italy Relations

By Oyekanmi, Babatunde & Okunola, Taofiki Abiodun

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Abstract- Africans have for a long time blamed Europeans for their enslavement and exploitation and have dubbed their interactions with Europeans as the reason for Africa's underdevelopment. However, this is an age where Africans under-develops Africa and enslave their kinsmen by turning them into commodities and transporting them to Europe for sexual slavery and exploitation. Edo state has been reputed to be the recruitment hub of these slaves and this has earned Nigeria a negative label by international human rights organisations. It is therefore the aim of this work to probe the causes and implications of sexual trafficking in Nigeria and proffer possible solutions to the menace.

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African Enslaving Africans: Human Sex Trafficking as a Trans-National Crime; The Edo-Italy Relations

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Abstract- **Africans have for a long time blamed Europeans for their enslavement and exploitation and have dubbed their interactions with Europeans as the reason for Africa's underdevelopment. However, this is an age where Africans under-develops Africa and enslave their kinsmen by turning them into commodities and transporting them to Europe for sexual slavery and exploitation. Edo state has been reputed to be the recruitment hub of these slaves and this has earned Nigeria a negative label by international human rights organisations. It is therefore the aim of this work to probe the causes and implications of sexual trafficking in Nigeria and proffer possible solutions to the menace.**

I. Introduction

Ruhfus (2013) reported that there are about 10,000 Madams and over 30,000 Nigerian women who have been trafficked to Europe and are used for sexual exploitation and slavery. Between 2007 and 2009, the US Department of Justice reported that there were 1,229 people who were suspected to have been trafficked from Nigeria to the United States and out of this, 83% were trafficked for sexual exploitation but only 9% could be confirmed (Ajagu, 2012). The United Nations reported that 80% of women from Nigeria women trafficked to Europe were used for prostitution purposes and that this event was entering what could be described as 'crisis level' (Annie and Lorenzo, 2016) and that these women were trafficked from Libya to Europe. Two centuries ago, Africa and Africans witnessed slavery which is one of the most dehumanising gruesome and experiences of the continent which to many scholars has remained the clog on the wheel of the continent's development and this made some scholars like Rodney (1973) and Fanon (1961) write their thesis on the experience of this exploitations citing the root causes as the contact of the continent with Europe but there is a modern form of slavery in Africa which Africans themselves have seemingly gladly allowed or watched to happen and this is human sex trafficking to European countries, particularly from Benin City Nigeria to Italy as Fitzgibbon (2003) posits that every year, thousands of Africans and particularly Nigerians women are being forced into sexual labour and exploitation both within and outside the continent and many of these victims end up being re-trafficked.

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One aspect which the United Nations saw as needing reforms is that of prosecution. The organisation noted that between 2003 and 2007, about 144 persons were prosecuted for trafficking in persons offences in Italy and that among West African nations, one of the major countries where trafficking is prominent is Nigeria and many of those trafficked are from Benin City (UN, 2009). Scholars (Babawale, 2006; Adepoju, 1998; Taran and Demaret, 2006; Attoh and Okeke, 2012) have all posited that the situation of human sexual trafficking in Nigeria could be linked with the Structural Adjustment Programmes of the global financial institutions (The World Bank and International Monetary Fund) which they claimed made many African countries debt ridden and escalated the level of poverty due to the cut back in several economic areas such as agriculture, employment, food education and so on thereby leading to economic deprivation. However, according to the human development index, Nigeria ranks 152 out of 188 nations in the world poverty level and Central African republic is ranked the poorest nation in the world yet this country is not as notorious as Nigeria when it comes to human sex trafficking. Also, in Nigeria, states like Sokoto, Katsina, Adamawa, Gombe, Jigawa, Ebonyi etc are rated as the poorest, all located in the Northern part of the country and are not notorious for sexual trafficking but Benin City however is located in the South-South region of the country and Edo State where it is located is rated as the 7th richest state in Nigeria with a GDP US$11,888 (Global Income Distribution Database, 2017). It therefore negates the fact that poverty is the sole contributory factor to human sexual trafficking.

Edo State Criminal Code (Amendment Law) has been enacted by the Edo State House of assembly to ensure that state tackles human sexual trafficking by labelling it a criminal act. This is in line with the report of the fact finding mission of the Danish immigration services which states categorically that female victims of sexual trafficking are recruited basically from Edo State and sparsely from Lagos State to destinations in Europe (Danish Immigration Service, 2008) a position which was further corroborated by the United States Department of State in its reports which posits that Nigerian women forced into sexual prostitution in European countries and specifically Italy were primary from Edo State and specifically, Benin City and some neighbouring small

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communities like Esan North East, Uhunmwonde, Orhionmwon, Egor, Oredo, Ikpoba–okha, Ovia North East, Etsako and Ovia South (United States Department of State, 2012). Aronowitz (2001) in his study supports this position by asserting that 95% of trafficked women used for prostitution in Europe come from Benin City. It is however the position of Adams (2011) that looking into the Nigerian situation, it seems odd for Edo state to surprisingly be the hub sexual trafficking since it is not as poverty stricken as several other states in the country and in actual fact having one of the lowest poverty rate.

This work therefore seeks to discuss human sex trafficking as a trans-national crime and concludes that corrupt immigration officers, weak legislations and implementation, socio-cultural factors, tolerance for prostitution etc. are responsible for the rise of human sex trafficking in Nigeria. Initial findings suggests that unemployment, poverty, gross social inequality, deprivation, lack of education and loss of hope for the future are major drivers of human sex trafficking and such non-state actor as the United Nations through the Palermo convention against Transnational Organized Crime (2000) which has been ratified by Nigeria as a member of the United Nations have worked consistently to battle the menace. This paper will therefore further examine the lacunae in the legal system and the corruption in the nation's immigration as possible contributory factors. From this hypothesis, Benin City continues to remain the hub of human sex trafficking in Nigeria despite the efforts of the Nigerian government and other non-state actors in tackling the crime of human sex trafficking.

II. Trafficking

The *UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime (2000)* embodies the first internationally agreed upon definition of human trafficking which it describes in its article 3 as follows:

> *The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.*

In the convention, it is further stated that:

> *Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. The consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant where any of the fore-mentioned means have been used.*

The same Article describes it as:

> *The recruitment, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered' trafficking in persons,' even if it does not involve …[any of the above listed means]. "Child" shall mean any person under eighteen years of age.*

In the convention, there are some key features that were raised such as defining trafficking as a crime which is marked by intent to deceive and exploit the trafficked victim and a crime against humanity as provided in Article 7 of the Rome Statute. It also expands the range of actions that are considered as parts of the human trafficking process which includes harbouring, recruitment, transfer and receipt of trafficked person(s). The definition also addresses a wide range of means that are employed in trafficking from subtle inducements to blatant force to capitalise on the vulnerability of the victims to ensure that they achieve consent. It also makes the consent of the victim of exploitation irrelevant. It also acknowledges the fact that not only women can be trafficked but also men but places more emphasis on women and children. It further makes recognition of ranges of purposes for which trafficked victims can be used for which includes sexual exploitation; it also contains protective economic, social, legal and political as well as rights-based protective measures to prevent trafficking and also assist, protect, return, reintegrate and help trafficked person and also penalise trafficking and other related offences; it moreover calls for a global cooperation to combat and prevent human trafficking and also states the obligations of states in cases of human trafficking.

In the course of human trafficking, there are some human rights that are often violated and this includes the Right to Health and social services as provided for in Articles 22 and 25 (1) of the Universal Declaration of Human Rights (UDHR), Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 24 of the Convention on the Rights of the Child (CRC), Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). In the course of trafficking such rights as the Right to Liberty of Movement and Freedom to Choose one's Residence as provided for under Article 13 (1) of the Universal Declaration of Human Rights (UDHR) and Article 12 (1) of the International Covenant on Civil and Political Rights (ICCPR). Human sex trafficking also violates the Right to a Decent Work as made provision for under Article 11 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Article 23 of the Universal Declaration of Human Rights (UDHR),

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Article 8 (3) of the International Covenant on Civil and Political Rights (ICCPR), I LO Convention 29, Article 23 (1) of the Universal Declaration of Human Rights (UDHR), Article 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Such rights as Right to Freedom from Slavery, Right not to be Tortured and/or Submitted to Other Cruel, Inhuman or Degrading Treatment or Punishment, Right to Peace and Security, Right to Access to Justice, Right to Non-Discrimination and Right to Education and Training of the trafficked victims are grossly violated to ensure compliance (UNESCO, 2006).

a) Human Sex Trafficking

Although human Sex Trafficking has no universally accepted definition but according to Manbe (2016) human sex trafficking is a form of slavery which involves the movement of the victim by the trafficker; these victims are however subject to deception, violence or coercion to other locations for the purpose of sexual forced labour and sexual exploitation. Territo and Kirkham (2010) opines that human sex trafficking is the movement of people across and within national or local borders for the purpose of exploitation and primarily, a form of sexual enslavement. For Braimah (2010) it is an act of moving a person or a people from one location to another for the purpose of sexual exploitation.

U.S. Department of State (2016) submits that under the United States law, trafficking in person is considered an act in which a commercial sex is induced through force, coercion or fraud or in which a person is induced to perform such act in which the person has not attained the age of 18 or the harbouring, recruitment, provision, transportation or obtaining of a person for services or labour through the use of force coercion or fraud for the purpose of subjecting such a person or persons to peonage, slavery, debt bondage or involuntary servitude. The act of trafficking can be domestic and take place within a territory and it can also be transnational where victims will be recruited and transported across border to another country for sexual exploitation and forced labour.

United States Department of State (2016), in her definition submits that human sex trafficking can involve both adult and children and that it can be said to have taken place when: *an adult engages in a commercial sex act, such as prostitution, as the result of force, threats of force, fraud, coercion or any combination of such means, that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harbouring, enticing, transporting, providing, obtaining, patronizing, soliciting, or maintaining a person for that purpose are guilty of sex trafficking of an adult. Sex trafficking also may occur within debt bondage, as individuals are compelled to continue in prostitution through the use of unlawful "debt," purportedly incurred through their transportation, recruitment, or even their "sale"—which exploiters insist they must pay off before they can be free. An adult's initial consent to participate in prostitution is not legally determinative: if one is thereafter held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.*

While child trafficking can be said to occur when: *a child (younger than 18 years of age) is recruited, enticed, harboured, transported, provided, obtained, patronized, solicited, or maintained to perform a commercial sex act, proving force, fraud, or coercion is not necessary for the offense to be characterized as human trafficking. There are no exceptions to this rule: no cultural or socioeconomic rationalizations alter the fact that children who are exploited in prostitution are trafficking victims. The use of children in the commercial sex trade is prohibited under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for children, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death* (United States Department of State, 2016)

Davidson and Donelan (2010) also define trafficking as:

Trafficking in persons is used as an umbrella term to cover a range of actions and outcomes. Viewed as a process, trafficking can be said to entail several phases— recruitment, transportation (which could be across several countries), and control in the place of destination. Different groups, agents or individuals may be involved in different phases of the process, and can organize recruitment, transportation and control in different ways. There is thus immense diversity between and within trafficking systems.

b) Benin City as the trafficking centre

The United Nations Office on Drugs and Crime (UNODC) (2006) posited that an estimated 94% of the total number of women trafficked from Nigeria to Europe for sexual exploitation and prostitution are from Edo State while the remaining 6% are from other states like Kano, Delta, and Borno States of Nigeria. While the women from the south are mainly trafficked to Europe, the women from the northern states of Kano and Borno are trafficked to Arabian countries and the Middle East like Saudi Arabia and many use the Lesser Hajj which is a religious pilgrimage as means of being trafficked to as far as Berlarus and Moldova for prostitution.

A non-state actor, Committee for the Support of the Dignity of Women which is located in Lagos State stated that some of the girls who end up trapped and used as sex slaves didn't know the intention of the traffickers before they left the shores of Nigeria. The organisation made it clear that on some cases, they are told that they will be working with companies to pick tomatoes (Landinfo, 2006), It is however a truism that

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many of them know what they were going to Italy for and perhaps the first set of people who were successful in the trade were from Edo State therefore many of them came back home to bring their friends and relatives to become as 'successful' as they have become in Europe and this was how the activities started to gain momentum to present day (Voice of America, 2012).

Most of the trafficked victims trafficked to Europe for sexual exploitation are from Benin city and they are identified as Binis (Landinfo, 2006) many of them also come from neighbouring communities like Uhumwode, Oredo, Orhiomwon and Ovia which are also inhabited by Binis (Okojie *et al.,* 2003) Some victims are also said to come from Etsako and Esan which are in the northern part of Edo State and some come from Lagos, Delta and Ondo States (Okojie *et al.,* 2003) and majority of the trafficked and the traffickers are also from Edo State (Baye, 2012) but these localities can also pride of successful businessmen and academics who detest such trade as trafficking and prostitution.

Okojie *et al.*, (2003) submits that most people in Benin City have friends or relatives who lives in Europe and human sex trafficking has become largely ingrained in Edo State but it remains a fact that there are some people in the state who concentrate in their businesses and do not wait on the proceeds of prostitution of trafficking. Danish Immigration Service (2008) posits that one in every ten families in Benin City have at least one person involved in prostitution or trafficking abroad but this may not necessarily be a phenomenon in every families and there are families that are involved in credible business enterprises.

Most of the victims of trafficking were being trafficked by their own family members or relatives who are close to the family. In many cases, these victims are trafficked with the consent of their parents and in some cases those that are married are being trafficked with the consent of their husbands but in some cases many of them are deceived that they will be involved in credible and legal businesses when they get abroad (Danish Immigration Service, 2008) but what was dubbed 'credible' turns out to become sexual trafficking and despite the notion that prostitution is ingrained in the Edo society, Aghatise (2002) noted that prostitution is culturally and traditionally not acceptable among the Benin people which is in contrast to the belief that the society accept and condones prostitution. Against this submission, (Attoh, 2010) is of the opinion the decision of a woman leaving the shores of Benin City to Europe for sex trafficking is oftentimes a family decision and this gains the approval and encouragement of the parents and it is considered a family investment and it is the pride of many families that they have someone in Europe who is earning money and these family members point to the things that these people have been able to acquire through trafficking in Europe as source of pride to the family (Attoh, 2010).

In Benin City, it has become a thing of pride and status to have a daughter who has been trafficked to Europe and who is 'doing business' and sending money home and such daughters have become families symbol of status and once a woman is able to return wealthy and able to build good houses and monuments that stands as her gains from Europe, the society necessarily does not care and she needs not hide the fact that the money is from prostitution and such people stand as role model to other young people in the community who also pray to be trafficked so that they can become the family's pride and this has seemingly made prostitution to appear acceptable among the people (The Independent, 2011).

Plambech (2014) is of the opinion that human sex trafficking to Europe is most common in Benin City and most of the 'victims' and their and their relatives know that in most cases, when these young women are taken to Europe, they are sexually exploited however, The Independent (2011) made a submission that some of them do not know what exactly they will be doing Europe and in actual fact are tricked into believing that they will be doing something honourable. Skilbrei and Tveit (2007) carried out a study and in their interview women revealed that many of these prostitutes are oftentimes being deported from Europe and many of them have claimed that they knew nothing until they got to Europe. But in a study conducted by Plambech (2014) it was revealed that many of these people knew that they were going to work as prostitutes for a period spanning three years to ensure that they are able to repay the cost of bringing them to Europe to 'succeed' after which they will gain freedom and start working for themselves and earning money for their families this strongly negates the position of ignorance claimed by Skilbrei and Tveit (2007) and also suggests that poverty is a contributory factor to human sex trafficking as many of them do not really understand the terms and conditions of the 'business' before setting off for Europe and in many cases, they do not know the actual number of years they will be working for their bosses, the cost of taking them to Europe, the size of their 'debt', the weather condition of the country which they will be working, the length of working hours and the risks involved (Plambech, 2014). The Economist (2004) rather refutes the fact that they do not have an idea that they will be used for prostitution but maintained that it is rather possible that they were lied to about the possible earning and the residence legality in Italy. However, most of the victims are not fully aware of awaits them in Italy. Okojie *et al.,* (2003) however blames educational level and economic capacity of victims as reasons why they cannot question the offers made to them by their traffickers.

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Skilbrei and Tveit (2007) in their interview with some trafficked victims marinated that many of the girls never knew or believed that Nigerian women were into prostitution abroad and never imagined they will used for prostitution. This is in line with the argument of ECPAT UK (2012) which reported that some of the girls were promised studying opportunities in Europe and never knew the nature of the business they will be used for. Earlier, The Economist (2004) had reported that some of them were promised modelling career, education opportunities, housekeeping, maids and nannies, factory work, restaurant attendants etc. (Baye, 2012). The major problem is that many of these victims do not understand the meaning of human sex trafficking despite the level of campaign against it in Nigeria. Many victims do not consider themselves as victims but rather propose that they only sought opportunities in better places and the fact that a lot of money is involved makes them feel rather opportune and lucky than exploited. The victims also do not consider those who take them abroad as traffickers but rather refer to these people as 'guides' or 'Madammes' and many of the trafficked victims graduate themselves to become members of the trafficking network and this had made the fight against trafficking quite difficult as the trafficked victims are most times not ready to cooperate with the law enforcement agencies (Europol, 2011).

c) *The use of Magic and human sex trafficking in Nigeria*

Women and girls from Nigeria who have been victims of trafficking mainly for the purpose of sex trafficking and servitude and while the young boys that are trafficked are forced to work on commercial farming, plantations, mines, construction sites and quarries, girls are used as sex slaves and forced prostitution (Olujuwon, 2008). UNODC (2008) submits that while the boys are from different places, the women and girls who are being recruited for sexual trafficking particularly to Italy and some other European countries like Spain, Scotland, Turkey, Belgium, France, Denmark, Sweden and the Netherlands are mainly from Edo State. Siddharth (2016) find the use of voodoo as an important characteristic in the crime of trafficking in Nigeria as traffickers reportedly employ spiritual manipulation to psychologically manipulate and enslave their victims so that they will consent to being used for sexual exploitation. Willmott (2012) opine that the arrangement for the trip to these European countries are completed by the traffickers but it is not concluded until victims have been taken to shrines for oath taking and different kinds of rituals where the victim swears an oath to repay her debt – an amount she doesn't even know and in most cases, a debt she doesn't have an idea how she incurred.

Black magic often employed in ensuing allegiance in human sex trafficking in Nigeria (Okojie *et al.*, 2003). This is the consultation of spirits who are believed in African traditional religion to guide the earth and human existence with the powers to destroy and protect human lives (The Independent, 2011). Despite the superstitious belief that has greeted the practice of witchcraft; many Africans believe that it is more of a reality than superstition (Harrop, 2012). However, Edo State has been described by The Independent (2011) as a society in which juju practice has become 'deeply ingrained' such that virtually everyone believes in the practice but the power to use the magical powers belonging only to the Juju priest. However this is also one of the states that prides of the highest number of adherents of both Christian and the Islamic faiths. The fact that misfortunes and eventual death are blamed on Juju practice has made it very popular among the people and also given the power is may ordinarily not possess (BBC, 2011).

In Most Nigerian societies and also in Benin city, most life eventualities such as psychiatric imbalance, infertility, divorce, motor accidents, terminal diseases, sickle cell attacks and several other misfortunes are blamed on supernatural causes and particularly Juju (BBC, 2011). The fact that these victims are aware of the potentialities of juju makes it a very potent force to be used by human sex traffickers to control trafficked victims (USDOS, 2014).

Traffickers use juju oath taking as a form of psychological manipulation on their victims who fear the possible consequences of not abiding by the dictates of their captors for the fear of spiritual punishments (Pascoal, 2012) and this prevents the victims from revealing the identity of their traffickers to law enforcement agencies and also keeps them loyal to their captors and also as an assurance to pay up the cost of taking them to Europe where they are being used as sex slaves (Danish Immigration Service, 2008). This act of oath taking can also be said to be the oath of allegiance to remain in perpetual silence (ECPAT UK, 2012). Juju has been a way of keeping Nigerian trafficked victims in control and most Nigerian traffickers have fewer problems from their victims compared to traffickers from other parts of the world (Aghatise, 2002). The pact between the victim and the trafficker is being reinforced through the Juju oath (Skilbrei and Tvei, 2007) and this is a major requirement by traffickers (Danish Immigration Service, 2008). Despite this requirement, Isoke Aikpitany, who is a former victim of human sex trafficking submitted that some girls decline from swearing to the oath based on religious grounds particularly those that are Christians (Pascoal, 2012) but these victims do not consider the fact that Christina religion is strictly against sex trade and exploitation. Rituals are performed in secret shrines in Nigeria (UNICRI, 2010) or the destination country (Okojie *et al.,* 2003) to ensure that the oath is sealed and this ceremony is being performed by a juju priest which has

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also become a central force in the Nigerian trafficking industry (Carling, 2006). The juju priests are known by different names and they can alternately be called *Baba-loa*, *Ohen*, *Voodoo Minister* or *Père-Servants* (UNICRI, 2010), they can also be called *Head Priests* (CNN, 2011) or *Medicine Men* (Achebe, 2004). These priests are often times accomplices of traffickers and they are paid by traffickers to control the victims through juju practice (Pascoal, 2012). This according to The Independent (2011) has become a very lucrative business for the priests and they are sometimes paid as much as GBP 120 for a ritual due to the fact that there are fewer shrines in the United Kingdom compared with among where there are numerous shrines but with international branches (Landinfo, 2006).

Okojie *et al.*, (2003) however submits that the most potent shrine for traffickers is located in Nigeria and particularly in Benin City and it is called *Aru'Osun Oba.* Due to the fear of traditional deities, victims cannot think of escaping or telling their stories to law enforcement agencies and this makes the exploitation quite easy (Okojie *et al.*, 2003) since the victims believe in the potency of the juju and also do not want to die as they would have been made to believe so that they wouldn't think of escaping. However, there are cases of those who have escaped and nothing tragic happened afterwards and the seeming tragedies are only lies to keep the victims loyal.

According to Danish Immigration Service (2008) Godwin Morka who is a staff of NAPTIP Lagos office stated that traffickers have reduced the rate at which they make use of juju to trap their victims. But in contrast to this position, Bisi Olateru-Olagbegi who runs a renowned anti-trafficking - The Women's Consortium of Nigeria stated that many of these traffickers still make use of juju and it is common and this strongly hold victims bound (Danish Immigration Service, 2008). Carling (2014) submits that Pentecostal churches are also used to legitimise the juju rituals and since many of these victims believers are Christians, they seem to believe that God will punish them even if the juju doesn't. This implies that victims are not only bound by juju but a collaboration of juju and Christian beliefs.

d) National and international legislations against human trafficking in Nigeria

The Nigerian government has remained committed to fighting the crime of human trafficking as it bleeds the nations of her valued, young and responsible citizens making them slaves in foreign lands. The Nigerian nation despite having enacted national laws is also a signatory of many international conventions that fights against the crime of trafficking. The Nigerian constitution (1999 as amended), Child Rights Act (2002), Labour Act (1974), Trafficking in Persons (Prohibition) Law Enforcement and Administration Act (2003), Criminal Code (as applicable in the Southern States of Nigeria), Penal Code (as applicable in the Northern States of Nigeria) and the Immigration Act.

In the Nigerian constitution, it is stated that: *Trafficking in Persons violates sections 17, 34 and 42 of the Constitution of the Federal Republic of Nigeria, (1999), which states as follows: Section 17:*

1) *The State social order is founded on ideals of Freedom, Equality and Justice.*
2) *In furtherance of the social order The sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced; 98*
3) *The State shall direct its policy towards ensuring that–*
4) *Children, young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect. Section 34: "Every individual is entitled to respect for the dignity of his person and accordingly: (a) No person shall be subjected to torture or to inhuman treatment or to degrading treatments. (b) No person shall be held in slavery; and (c) No person shall be required to perform forced or compulsory labour".*

   Section 42 (2): "No citizen of Nigeria shall be subjected to any disability or deprivation merely because of the circumstances of his birth". A trafficked person can challenge the infringement of the above-mentioned rights under Section 46 of the 1999 Nigerian Constitution, which states as follows: "Any person who alleges that his or her fundamental human rights has been or is been or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress".

In Africa, the Nigerian government remains one of the first to sign and incorporate the Palermo Protocol into is its law. This was done under the Trafficking in Persons (Prohibition) Law-Enforcement and Administration Act of 14 July 2003 but didn't come into force until December 2005. As Nigeria had no pre-existing law, this was a good way to fight against traffickers. The law did not just give penalties to traffickers but also sorted out how seized assets of these traffickers would be properly utilised in rehabilitating victims. According to Ifije (2006) he noted that: The amendments, which came into effect on December 7, 2005, according to [Carol Ndaguba], did not only extend its powers beyond investigations to include prosecutions, she stated that it provides for penalty to convict traffickers traceable to the proceeds of the crime. Added to that, the amendments, she said, also created a Victims Trust Fund, where forfeited assets of convicted offenders are collected for the rehabilitation and restitution of victims. Forfeiture of assets, as provided in the new law, Mrs. Ndaguba stated, has universal application. Under the amendments, the Executive Secretary said, NAPTIP's

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cases can now be prosecuted at State and Federal High Courts and those of the Federal Capital Territory (FCT), Abuja, as against the previous practice, where they were only entertained by state High Courts.

Conversely, there have been very few cases that have been taken to trial as many traffickers make bail and are not put under the proper security that allows them to stay in a specified area. According to a UNICEF report (2015) only 20 traffickers have been tried by the Supreme Court in Nigeria and only 5 have been jailed since 2007. They end up fleeing the country or end up being declared as wanted. This leads scholars like Alemika (2010) to ascertain that maybe the Nigerian authorities are being bribed or get some profit from letting traffickers go.

Trafficking In Persons (Prohibition) Law Enforcement And Administration Act, 2003* 2003 ACT NO. 24 Section 25 of the Trafficking in Persons etc. Act states the following: *Where a person is convicted outside Nigeria for an offence relating to trafficking in persons, he shall, on his return to Nigeria after serving his sentence in that country, be liable to be tried in Nigeria for bringing the image of Nigeria into disrepute, and shall on conviction, forfeit his assets to the Federal Government in addition to serving a term of imprisonment not exceeding two years (Slavery in Domestic Legislation 2012:44).*

Although this is what the law says, but there have been different accounts where traffickers have been returned back to Nigeria and still end up not being persecuted. Many scholars have made note of this with little or no data to support it. This points out that it's better for traffickers to be tried wherever they are caught committing the crime.

However, Weitzer (2012) has criticised the National legislature was adopted but not made modified to fit into the Nigerian society. Despite the amendments, the policy national law has failed to address human trafficking. He claims that this is as a result of lack of communication and education between the Nigerian government and its people. He claims that not only with the anti-trafficking law, but many laws in Nigeria have not been properly passed around, therefore this leads to some people living in ignorance and not knowing to what extent human trafficking is serious a crime.

He also claims that for the law to be effective there must be proper information system. However, this is something that Nigeria lacks. The information on tracking traffickers, building a strong legal case against them and even seizing their assets. Agwu (2014) argues that even when the properties of these traffickers are confiscated by the Nigerian government, they don't use it for the proper purpose. In contradiction to Weitzer (2012) the modification of the law to fit into the Nigerian society is not the biggest challenge, but the successfully implementation and execution of this law by the Nigerian authority is the big issue.

Despite the fact that there is a national legislation against human trafficking in Nigeria, the Edo State government also has a local law that deals with human trafficking. In 2000, preceding the government trafficking in Persons and so on an Act was passed, Edo State presented a law that changed areas 222, 223, 225, 226 and 233 of the Edo State Criminal Code. Osakue who is a state representative in Edo State was extremely reproachful of this enactment, expressing that the Edo State hostile prostitution law criminalizes prostitutes and truly makes issues worse. It makes our work troublesome as neither casualties nor local specialists will coordinate with us. Elsewhere, she has clarified the issue along these lines: *In Edo State, a law amending the section of the Criminal Code on trafficking in persons was passed in 2000. However, the law criminalizes prostitution as a result of which has made victims of traffickers more willing and at risk to be trafficked or fall into the hands of traffickers. Even the local agent being used by the traffickers like the native doctors tend to be more cautious when dealing with the traffickers. While this makes it look like this may have changed, criminalizing of prostitution has been shown elsewhere to only increase the abuses that sex workers experience and not reduce the incidence of prostitution. Rather than seek to punish the trafficked girl who in reality may be victims of some sort, the law further victimises them by disregarding the International Protocol that the consent to being trafficked is void because no one can consent to becoming a slave* (Osakue, 2005).

In the view of scholars like Agbaegbu (2008) and Onuoha (2011) they contend that Edo state legislature was more effective than the national legislation, as it gave a more forward approach to understanding the crime of human trafficking and the extent to which it was punishable, some scholars like Agwu (2014) will argue that the legislation mainly stood as a paper trail for the international community to see that a little effort was being made. They argue that street awareness were carried out and State emergency numbers were circulated by the State government so locals can call if they notice suspicious people trying to talk to children or young women. Onuoha (2011) goes further to explain that what the importance of a legislation is if it is not communicated to the people duly and properly. He has faulted the Edo government for not being able to pass across the message to its people stating that 'the victims are ignorant of this law and even the traffickers do not understand to what extent this law is punishable'. Standing on the premise that if the people are more aware of the dangers of trafficking and see examples of traffickers who are being trafficked punished, it will probably reduce the rate of trafficking. However, Carling (2015) counters Onuoha (2011) saying that trafficking is not a new trend in Nigeria as it is something that has the life span of over 30 years. He states that the problem is not that the people are not

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aware of the acts of trafficking being a crime but the fact that nothing is being done to the traffickers. He states that unlike Onuoha (2011) who doesn't take into account that some victims know they will be trafficked, some trafficked victims know what they are getting into and still choose to go. This is still a major problem in differentiating between victims and non-victims of human trafficking. It is therefore important for both state and non-state actors in Nigeria to act decisively to ensure that there are new strategies and that the existing strategies against human trafficking in Nigeria is strengthened for the dealing with the crime and getting better results.

III. Conclusion

This paper has been able to argue that human trafficking is a form of organised crime in Nigeria and that Edo State remains the hub of trafficking recruitment in the country. International organisations and the Nigerian government have continued to work assiduously to fight the menace but there is still much to be done. It can however be stated that poverty, the patriarchal nature of the Nigerian society, unemployment and fragmented social values are contributory factors to the rise of human trafficking in Nigeria and weak legislation and corrupt immigration officials also aids the transportation of these 'slaves' to Europe.

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The Lockean State of War and the Nigerian State: A Comparative Analysis

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Abstract- The level of lawlessness, judicial inconsistencies, double standard practices and executive over bearances makes it appear as though Nigeria was in Locke's mind when he theorized about his State of War. The trajectory of violent events in Nigeria is a stark reminder that the country is slowly regressing into the hypothetical state of war created by the social contract theorist; John Locke. The dynamics and the emergence of violent groups in the country such as the Boko Haram sect, the Niger Delta Avengers and the Fulani Herds men is a reflection of the general state of insecurity ravaging the country. Using John Locke's social contract theory, the research made a comparative analysis of the Nigerian state, and the Lockean state of war concluding that the country is living in falsehood, as the present constitution does not reflect the will of the people. Thus, the research emphasized that; if the country is to progress from this 'state of war' in which it finds itself, then the state must be ready to reinvent/ renegotiate the contract terms of this union.

Keywords: *the nigerian state, social contract, governance failure and restructuring.*

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The Lockean State of War and the Nigerian State: A Comparative Analysis

Rufus, Anthony [α] & David E. Eyo [σ]

Abstract- The level of lawlessness, judicial inconsistencies, double standard practices and executive over bearances makes it appear as though Nigeria was in Locke's mind when he theorized about his State of War. The trajectory of violent events in Nigeria is a stark reminder that the country is slowly regressing into the hypothetical state of war created by the social contract theorist; John Locke. The dynamics and the emergence of violent groups in the country such as the Boko Haram sect, the Niger Delta Avengers and the Fulani Herds men is a reflection of the general state of insecurity ravaging the country. Using John Locke's social contract theory, the research made a comparative analysis of the Nigerian state, and the Lockean state of war concluding that the country is living in falsehood, as the present constitution does not reflect the will of the people. Thus, the research emphasized that; if the country is to progress from this 'state of war' in which it finds itself, then the state must be ready to reinvent/ renegotiate the contract terms of this union.

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"The nature and character of any nation is played out in the behavior of men on the roads and the roads themselves" Rufus Anthony.

I. Introduction and Statement of the Problem

The general spate of political unrest that has marred Nigeria in recent years has made scholars to liken the country to the Lockean state of war. The trajectory of violent events in Nigeria only serves as a stark reminder that the country is slowly regressing into the hypothetical state of war created by the social contract theorist; John Locke. The dynamics and the emergence of violent groups in the country such as the Boko Haram sect, the Niger Delta Avengers and the Fulani Herds men is a reflection of the general state of insecurity ravaging the country and thus painting a gloomy picture of "three night falls in a day" (Rufus, A. 2017). Bearing the above in mind, it can thus be argued that objective vulnerabilities and insecurities shape the nature and outcome of individuals' actions and responsibility towards surviving and coping with insecurities. Locke no doubt considered the above in his 'state of war' when framing his social contract theory.

The social contract theory is the view that people's political obligations and moral stance is a product of a collective agreement among individuals to form the society in which they live. The social contract theory was developed to explain how society came into being. A hypothetical state of nature was used to explain the conditions that necessitated the social contract. The major argument of the social contract theory is that in the state of nature, (the state that existed before the social contract came into being) the life of man was not guaranteed since there was no established system to regulate human behavior and as such it was all man for himself. While there are many variations of the social contract theory and the state of nature, the three main social contract theorist are; Thomas Hobbes, John Locke, and J. J. Roseau. The focus of this research is on Locke's social contract. While Locke's state of nature in his social contract theory was generally peaceful, the existence of freewill and the absence of a regulatory body created conditions that transformed the state of nature into the state of war. The process of this transformation of the state of nature to a state of war is what this research is interested in.

Nigeria a country that was unified by the British colonial government clearly lacks this social contract unifying the people. Her existence is the product of the forceful amalgamation of the Northern and Southern protectorate in 1914 by former colonial governor; Lord Fredrick Lugard. Looking at the above, it is safe for one to posit that the eruption of a conflict was almost certain with over 250 ethnic groups forming the country. Thus, it did not come as a surprise that shortly after independence, the attempts by her founding fathers to use their political positions at every slightest opportunity to favor their region at the expense of other regions threw the country into a fierce civil war that almost added her to the list of countries that once was. The events that led to the civil war revolved around; marginalization, oppression, injustice and a feeling of rejection.

Sadly, after more than 50 years of that civil war, the country is still confronted with the same set of problems that threw her into a ferocious confrontation. Presently, there is a lot of clamor by different sections of the country for a restructuring of the present federal structure while also; there are calls by various civil society groups with parochial orientations such as IPOB, OPC and the NDA for secession. The present challenges' confronting the country is even made worst by the existence of violent sects such as: Boko Haram,

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Fulani Herds men, Niger Delta Avengers, and the Baddo group.

The Nigerian situation is clearly a reflection of a failure in governance (Ayeni, 1988; Ake, 1995; and Sklar et al., 2006). The leadership model in Nigeria has been attacked by scholars for lacking the necessary focus capable of instilling national development and promoting political stability (Ayeni, 1988; Ake, 1995; and Sklar et al., 2006). Thus, the focus of this research is to use the John Locke's variant of the social contract theory to identify the gap in state formation, leadership and governance that has created the conditions for instability in the country.

II. Theoretical/Conceptual Framework: The Social Contract Theory

The theoretical framework adopted for this study is the social contract theory with focus on John Locke's variant. The social contract theory postulates a state of nature as the original condition of mankind before the social contract that brought the (modern) state into being. The state of nature was not an organized society. Each man living in led a life of his own, uncontrolled by any laws of human imposition. Nor was there any human authority to regulate his relationship with others. Men living in the state of nature were subject only to such regulations as nature was supposed to prescribe for them. This code of regulations was given the name law of nature or natural law (Abraham, 2013; 246).

While there are many variants to the state of nature; it is asserted that no two thinkers on the social contract theory are in agreement as to the conditions that prevailed in the state of nature. But whatever it was, all thinkers are of the consensus that those who live in the state of nature were ultimately compelled, for one reason or the other to abandon it and substitute the state of nature by a civil society or a body of politics where each man led a life of union with his other fellowmen. The law of nature, which regulated the conduct of the individuals who lived in the state of nature, was replaced by man-made laws. The focus of this research is on John Locke's variant of the state of nature and the conditions that necessitated a social contract in Locke's version.

As mentioned earlier, while Locke's state of nature in his social contract theory was generally peaceful, the existence of freewill and the absence of a regulatory body created conditions that transformed the state of nature into the state of war. The state of war according to Locke is a state of 'enmity and destruction'. Locke posits that the state of nature was generally peaceful with men living together in peace. The above meant that Locke's state of nature was pre-political but not pre-social. Locke posits that in the state of nature; all men are free to exploit nature for their self preservation. In this sense, all men have the right to induce from their intuition the law and dish-out punishments to offenders without remorse.

Locke opined that the state of nature degenerated into a state of war when individuals tried to impose their will on others. In his words "anyone who would try to get another man under his absolute power, puts himself in the state of war with the other". The above scenario is possible because of the followings:

a. The absence or lack of an established law known to all;
b. The absence or lack of an independent/impartial judiciary to adjudicate the law; and
c. The absence or lack of an executive to enforce the law (Wayper, 1974 in Ibaba, 2004; 101).

In Locke's social contract, there are two dimensions in his theory of social contract; the first involving the people giving up their arbitrary power to punish thus creating a civil society, and the second a government contract which gave the people the right to decide who governs them (limited sovereignty). Three conclusions thus flow from this: a) that the government exists for the good of the people; b) that it should depend on their consent; and c) that it should be limited and constitutional in its authority. Consequently, if it is not for the good of the people, if it does not depend on their consent, if it is not constitutional and exceeds the authority vested in it, the government can be legitimately overthrown (Abraham, 2013; 254).

One lesson that can be drawn from the above and liken to the Nigerian situation is the fact that both the state and government are social contracts that can only come to be through the consent of the people, were there is no consent (in the case of government maybe through election rigging as is often the case in Nigeria) the government lacks legitimacy and thus do not have the authority of the people to rule. Consequently, the people hold the right to revolt which creates the conditions for instability.

III. The Nigerian State, Government and the Legitimacy Question

For analytical purposes, the prevailing narrative here will focus on giving answers to two arguments: a) the legitimacy of the Nigerian state, and b) the legitimacy of the Nigerian government. This section is thus, structured to critically peruse how the Nigerian state came into existence in other to indentify if there was any form of a social contract binding the people to be part of the state, and also, this section will examine if the Nigerian government have the right to exert authority over the Nigerian citizenry and if so, if they have kept their part of the bargain in the social contract.

It is now common knowledge that prior to the advent of the British colonial Government in 1900, there was no territory known as Nigeria. The various ethnic

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nationalities that now form what we now know as Nigeria existed side by side independently but not oblivious of the other. What they were not aware of however, was the fact that their peaceful cohabitation as independent nation's was about to change due to key economic events happening in the West far away from their lands.

Capitalism; the economic cum political system that emphasizes on a free market economy has just transformed the West with the industrial revolution. The industrial revolution which ensured that machines replaced men in the chain of production opened the West to a world unimagined before. Prior to the industrial revolution, labour was an essential part of the production line, but with the industrial revolution, machines started replacing men in production. With the machines in, production level soared to new heights. The machines ensured that the production/consumption ratio was not on par with the former outweighing the latter. Consequently, two problems was created with the first being Europe's inability to supply her industries with much needed raw materials, and secondly, the industrial revolution created too much competition for a small market thus creating the need to search for new markets.

It was thus this search for new frontiers that brought the Royal Niger Company to the shores of what is now known as Nigeria. The first motive for searching for new territories was purely imperialistic (economic control). But with the need to secure captured territories from other European powers, the British government officially came into the country in the year 1900; that marked the official commencement of colonialism (political control). Despite the territory we now refer to as Nigeria being under the British Government, the different ethnic groups were still independent of the other until 1914 when the Northern and Southern protectorate were amalgamated.

In January, 1914, the British government unilaterally created Nigeria by uniting the southern and northern protectorate through the process of amalgamation. This was a defining moment in the history of the country, as it was the first time that the once independent regions were assuming a common name; Nigeria. Although the British had colonized Nigeria since 1900, it treated the different regions as separate entities. The decision of the then Colonial governor; Luggard to unify the Southern and Northern protectorate was largely for administrative convenience. The vast land mass and the shortage of colonial officers ensured that unification became the only convenient way to administer Nigeria. As noted by the British Broadcasting Corporation, "Britain wanted empire on a cheap." Nigeria remained under British rule from 1914 up onto the st day of October, 1960 when she was finally granted independence from her colonial master. Ever since then, the country has fought a nefarious civil war, but has remained as one to this day.

It is clear from the above that the unification of Nigeria was not done in consultation of the people. The British government did not consider the huge ethnic and political diversity of the regions. The Southern Protectorate was largely dominated by Christians and the Northern protectorate was heavily populated by the Muslims. The result of the amalgamation was the marrying of over 250 ethnic groups together. It is important to state that the sole purpose the Northern and Southern regions were merged, was for the maximization of profit for the colonial government and as such, the people were not consulted whatsoever to know if they had any interest to come/stay together, neither was there any attempt to unify them as the British used different approach in administering the two regions.

The negative result of the British decision to amalgamate the country without consultation started manifesting soon after independence, as Nigeria's founding fathers that took over from the Colonial government, failed to realize that the country was now one and that, they no longer represent their various regions, but Nigeria. One major red flag that showed that the people did not see themselves as Nigerians was the formation of ethnic affiliated political parties. The Northern People's Congress (NPC) was affiliated to the North, the Action Group (AG) was affiliated to the West, and the National Council of the Nigeria and Cameroon was affiliated to the East.

The rhetoric's of our founding fathers also affirmed the above. The people that fought for the country's independence did not see any future in the country's unity as this is revealed by their utterances. For example, Chief Obafemi Awolowo while commenting on the unity of Nigeria emphatically stated that

> Nigeria is not a nation. It is a mere geographical expression. The word Nigerian is merely a distinctive appellation use to distinguish those who live within the boundaries of Nigeria from those who do not…He went further to note that West and Eastern Nigeria are as different as Ireland from Germany. The North is as different from either as China. (Awolowo, 1947).

In the same vein, Tafawa Belewa the man who would later become the first Prime Minister of the country while addressing the legislative council in 1948 declared that:

> Since 1914 the British Government has been trying to make Nigeria into one country, but the Nigerian people themselves are historically different in their backgrounds, in their religious beliefs and customs and do not show themselves any sign of willingness to unite. Nigerian unity is only a British intention for the country.

Similarly, Nnamdi Azikiwe the then leader of the NCNC and the first president of the federal republic was

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not left out in these unguided but truthful statements as he was quoted saying "It is better for us and many admirers abroad that we should disintegrate in peace and not in pieces. Should the politicians fail to heed the warning, then I will venture the prediction that the experience of the Democratic Republic of Congo will be a child's play if it ever comes to our turn to play such a tragic role (http://www.abaisgood.com/2015/12/3-powerful-quotes-from-3-founding.html)".

The statements above as shocking as they are, were only a reflection of the fact that the people never saw themselves as one. Each region has attempted to secede at one time in history. Sadly, after several years together, the country still does not feel as one as in recent times; the NDA, the OPC, the Arewa and IPOB have all called for secession or a restructuring of the federation.

IV. The Failure of the Machinery of Government in Nigeria: Too Much Politics Too Little Development

Nigeria returned to democratic rule in 1999. Prior to that, the country had experienced 2(3) failed republics. The collapse of the first republic was largely due to the ethnic styled politics played by the first republic politicians. As the entire first republic political parties that stood for elections, had ethnic affiliations. As a result of this, it became difficult for democracy to thrive in the country. The style of politics played was detrimental to the growth of the country's nascent democracy as the desire to win by all means pushed desperate politicians to indulge in undemocratic behaviors such as tribal politics and the rigging of election results.

There was constant pressure to win as the stakes were high: this was basically due to the fact that the consequences of losing in a winner take all politics, was always going to be fatal. Thus, there was constant attempt (sometimes undemocratic) by each party to reduce the influence of opposition parties in their strong hold. The unhealthy political competition/maneuvers by opposing political parties led to the Western region crisis. This crisis marked a turning point in the country's democracy, as it culminated in the bloody coup of 19… that brought the first republic to an abrupt end. The young military officers that carried out the coup cited; ethnic politics, corruption, election rigging etc. as factors that motivated their actions.

After the collapse of the first republic, the country endured a long military rule that saw coups and counter coups including the nefarious civil war that almost brought the union to an end. In 19.., the country returned to democratic rule under the leadership of Alhaji Shehu Shagari with a new system: the presidential democracy. The presidential system was adopted to avoid a repeat of the loop holes in the parliamentary system that led to the collapse of the first republic. Sadly, despite all the cautions applied, the second republic still met the same fate as its predecessor. It is significant to note that the same factors that were cited in the collapse of the first republic were also mentioned in the collapse of the second republic.

The third republic did not materialize as the military government that was in power, refused to hand over power less hence 'aborted third republic'. The country once again endured a long/brutal military rule under the dictator General Sani Abacha until his death in 1998. After the death of Abacha in 1998, the country returned to democratic rule in 1999. Ever since then, the country has been under democracy for an unprecedented 17 straight years uninterrupted. After 17 years of democracy however, the question that we beg to ask is: Why is there still so much instability in the polity?

The answer to the above question is quite straight forward and simple. Nigerians had just seen the end of a brutal military regime. Thus, the return to democracy was greeted with much hope and expectations from the people and rightly so. However, after 17 years of democracy what the people have is dashed hopes, stolen mandates and abuse of power by the ruling class who are domineering. As a matter of fact, the only difference between the democratic government and the military regime they took over from is the fact that whilst the former came in through a military coup, the latter came in through an electoral rape. One can confidently make a case against the Nigerian state that in reality exist for a few powerful individuals but in theory, exist for all. This corroborates the Marxian view of the state that it did not emerge through consent or any social contract. It is thus seen as an instrument of class or ethnic domination and exploitation (Ake, in Alapiki, 2001; 47). It follows therefore that the interest of those (class, ethnic or religious group) that control the state are promoted over and above those who do not exercise political power. This is done through the obnoxious laws (Land use act of 1978, Petroleum act of 1969) of the state which reflects the interest of those who exercise political power.

Considering the method in which power was acquired, it was obvious that the people were not going to get much from the democratic government that replaced the military one because; the people did not choose the government, but rather, it was imposed on them. Nevertheless, the people were still optimistic. The first significant event that stunned the people and brought them back to reality was the Odi massacre. The Odi massacre made the people realize that they were still under a military regime masquerading as a democratic one. Shortly after assuming office as president of the federal republic, the Obasanjo's administration ordered a military clear out of Odi

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(a small town in Bayelsa) due to the death of some police officers at the hands of some rebel youths from the community. At the end of the operation, the town became a ghost town.

The event at Odi was a clear message of intent from the government that it was not going to tolerate any challenge and that it was going to crush any form of opposition without regard for the rule of law (a fundamental principle of democracy). Sadly, the brute force, highhandedness, and disregard for the law shown by the Obasanjo's administration set the standard as to what democracy in the 4th republic represents. The ease at which the Obasanjo's administration maneuvered the national assembly' up to the extent the senate produced 3 senate presidents in his first tenure, only showed they were nothing but puppets in the hands of the executive and that checks and balance was all but an illusion.

The level at which the executive arm disregarded judicial pronouncements and engaged only in selective judgments that was in its favor, made the people realize that the only way they were assured of justice was to take the laws into their hands. The above is particularly true in the case of the Niger Delta and its clamor for resource control. The government had refused to listen to the peaceful agitations of the people who bore the brunt of oil production for a more favourable share of the national cake that reflects their input. The refusal of the government to listen to the plight of the people led to the militarization of the region. This ugly scenario was already pointed out by John Locke when he opined that the state of nature will degenerate into a state of war when people try to oppress others. When the activities of militants group started destabilizing the purse of the government, once again instead of to look for a diplomatic way to settle their differences, the state decided to apply its coercive force. It was when military confrontation failed, that the Yar' Adua's administration that took over from Obasanjo decided to offer the rebel youths amnesty (a social contract).

The decision to grant amnesty to the rebel youths coupled with the failure of fixing the fundamental issues made the people to realize that the government only understood violence. The decision to apply violence whenever a section of the country is aggrieved is informed by the believe that justice cannot be gotten through the court. Another case to buttress this point (that the people have lost confidence in the judicial process) is the radicalization of the Boko Haram sect. it is on record that the Boko Haram sect had existed peacefully before her leader the late Mohamed Yusuf was brutally killed while in police custody. Today, the Boko Haram sect is the deadliest terrorist group in West Africa. Since 2009, the sect has been ravaging the North. Similarly, the failure of the government to checkmate the Fulani herdsmen in their incessant killings, and their swiftness to crack down heavily on IPOB protesters might create another violent sect in the country in the nearest future.

Apart from the anomaly mentioned above, more worrisome is the issue of monumental corruption that has plagued the country. Shortly after the return to democratic rule in 1999, the state of affairs made it almost impossible for well meaning/credible development oriented candidates from breaking into the elite or leadership circle. This has made our political environment to be infested with 95% of old men who can hardly perform making it resemble what we call ***Geronto-democracy*** (a democracy ruled and control by the oldest people who supposed to have retired but are rather vehemently against giving young people important elective positions but can only vote). It's very important to note that many of these young people have great legacies in the Nigerian history. The likes of Awolowo (24years), Melford Okilo, Nnamdi Azikiwe, Tafawa Balewa, Odumegwu Ojukwu, Sir Amadu Bello only to mention a few. As a matter of fact, the present ruling class has remained the same set of people right from independence who keeps recycling themselves in an endless manner to ensure they remain in power. The above has made the youths to realize that the future does not belong to them, and that the only way in which they can break into the ruling class, is to apply violence.

The present state of political instability is only a reflection of a failure in governance. This is in line with the assertion made by Locke that the state of nature will degenerate in to a state of war because of the absence of: a) the absence or lack of an established law known to all; b) the absence or lack of an independent/impartial judiciary to adjudicate the law; and c) the absence or lack of an executive to enforce the law (Wayper, 1974 in Ibaba, 2004; 101). The manner at which the executive arm manipulates the constitution to their favor has left every one with the feeling that there is a ***lack of an established law known and acceptable to all***. The above argument becomes even more plausible when we put into consideration that the present constitution was drafted by the military without due consultation of the masses whom the constitution is supposed to be binding on. Secondly, the ***dependence of the judiciary*** on the executive has meant that there is an absence or lack of an independent/impartial judiciary to adjudicate the law. Also is the fact that the Nigerian judicial system is weak and can be easily manipulated by the elite/ruling class thereby making the common man to resort to jungle justice at every slightest opportunity. Finally, the ***failure of the executive*** to keep to their part of the contract by ensuring that the lives and property of the populace is secured has meant that the people have resorted to self actions and responsibilities towards surviving and coping with insecurities.

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V. Managing the State of War: towards Reinventing the Contract Terms and Restructuring the State

In every social phenomenon the easy part has always been identifying the problem whilst the difficulty lies in proffering a solution. Thus, this section seeks to look at possible solutions to the Nigerian problem by reinventing the contract terms and restructuring the State.

There is no doubt that the Nigerian State was built on a shaky foundation by her founding fathers through the 'ethnicization' of politics. The decision to exploit the huge ethnic difference of the people by our founding fathers to gain political power has sown a seed of discord/hatred among the different ethnic nationalities especially amongst the South/East and West/North. The South-South and South East now see the South West and North as common enemies. The above is true when one puts the 2015 presidential election result into perspective. Firstly, it is important to state that a country that is not united cannot progress/grow as there will always be an internal contradiction to impede progress/growth. The United States of America is regarded as the most powerful/developed nation in the world today because she is truly united. Thus, it is obvious that the most challenging phenomenon confronting Nigeria today is her unity. Thus, the question to answer is: how do we fix our differences, stay united, and progress?

To answer the question above, we must first of all identify the major challenge to our unity. When the Northern protectorate and Southern protectorate were amalgamated in 1914, the British government failed to take cognizance of the fact that the huge size of the North was always going to ensure that she remains a permanent majority consequently, that single action by the British colonial government created a permanent minority; a people who felt that no matter how hard they work, they were not going to get the best out of the union. This is seen in the decision of Igbo's to pull out of the union just after three years of independence. Up to this day, there is a feeling of discontent amongst the various ethnic groups especially amongst the minorities (Nnoli, 1978; and Etekpe, 2007). The above is not helped by the fact that whilst one group has remained dominant in terms of control of political powers, the bulk of the resources that has kept the country going is found in the minority region. The general believe amongst the minorities is that; the major ethnic groups have used their power to manipulate the distribution of resources in the union in their favor despite contributing little to the economy. Their fears (the minority groups) is made plausible by the fact that Karl Marx stated in his material dialectics that those who control "the super structure (politics), controls the sub structure (economy)".

The lopsidedness of Nigeria in terms of land mass and resources has ensured that each ethnic group (both majority and minority) have lived in fear. The Hausa/ Fulani ethnic groups which are the majority are afraid that if political power is lost, survival will be a matter of life and death to them. On the other hand, the South-South and South East are afraid of the domineering nature of the North, and have been crying of not being treated fairly in the union. Suffice it to say that, the fears of both regions are not out of place. And as such, if nothing is done to allay these fears, the country will find it difficult, if not impossible to progress.

It is obvious from the above as the facts speaks for itself that the country is in dire need of a restructuring. Thus, there is no gain saying that the country is need of a conference that will reflect the will of the people by producing a constitution that truly represents the people not an imposed one, like the present constitution. A National Conference was held to this end, but sadly, up to this day, the recommendations of that conference have not been implemented due to some selfish interest. Once again suffice it to say that; if we are to progress, we must be ready to make some difficult sacrifices, set our differences aside, and be ready to implement policies that will represent the interest of all and not a segment of the union.

VI. Conclusion

The problems of Nigeria have metamorphosed beyond leadership into institutional problems. Nigeria is living in falsehood, as the constitution does not reflect the will of the people. Thus, if we are to progress from this 'state of war' in which we find ourselves, then we must be ready to reinvent/renegotiate the contract terms of this union that will ensure that the government exists for the good of the people; and as such should depend on their consent; and finally, should be limited and constitutional in its authority.

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The Vulnerable "Macho-Man": Exploring the Socio-Cultural and Legal Perspectives to Gender based Violence in Nigeria

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Abstract- Domestic violence, having women as perpetrators, has been on the increase in Nigeria, particularly in the last few years. The increase, largely attributed to the renewed media focus on this aspect of gender-based violence, is often rationalised on the premise of self-defence or revenge attacks by the women. Thus, in what may be regarded as one of the landmark changes in human history, the trend is empirically turning the conventional narratives against men in an African society like Nigeria. Curiously, despite numerous studies that report the preponderance of domestic violence being perpetrated by men against women, the latter are becoming perpetrators of some of the most heinous domestic violations in their marriages. Partially due to the socio/cultural inhibitions- the Nigeria society is a highly patriarchal one, in which men have bloated egos- men generally feel ashamed and sometimes confused when abused by the opposite sex. Though the Violence Against Persons (Prohibition) Bill was signed into law in May 2015, the concern in the public domain, especially by the civil society groups, has always been on the protection of women and girls from violence as exhibited in the initial draft of the bill titled: Violence Against Women (Prohibition).

Keywords: *macho man, cultural norms, domestic violence, perpetrators, legal.*

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The Vulnerable "Macho-Man": Exploring the Socio-Cultural and Legal Perspectives to Gender based Violence in Nigeria

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Abstract- Domestic violence, having women as perpetrators, has been on the increase in Nigeria, particularly in the last few years. The increase, largely attributed to the renewed media focus on this aspect of gender-based violence, is often rationalised on the premise of self-defence or revenge attacks by the women. Thus, in what may be regarded as one of the landmark changes in human history, the trend is empirically turning the conventional narratives against men in an African society like Nigeria. Curiously, despite numerous studies that report the preponderance of domestic violence being perpetrated by men against women, the latter are becoming perpetrators of some of the most heinous domestic violations in their marriages. Partially due to the socio/cultural inhibitions- the Nigeria society is a highly patriarchal one, in which men have bloated egos- men generally feel ashamed and sometimes confused when abused by the opposite sex. Though the Violence Against Persons (Prohibition) Bill was signed into law in May 2015, the concern in the public domain, especially by the civil society groups, has always been on the protection of women and girls from violence as exhibited in the initial draft of the bill titled: Violence Against Women (Prohibition). Two questions are therefore, germane to this study: how effective is the Act likely to be in solving the challenges of gendered violence in the country, given the existing popular bias against men in this regard? As happened to the women overtime, are men not being trapped in certain gender-based stereotypical straightjackets? This study examines the interplay of cultural norms, legislation and gender-based violence particularly against men in Nigeria. It also advocates gender equality in the administration of criminal justice in Nigeria on issues of gendered violence.

Keywords: macho man, cultural norms, domestic violence, perpetrators, legal.

I. Introduction

Intimate Partner Violence, commonly known as Domestic Violence or Spousal Abuse, knows no geographical, ethnic or cultural boundaries. It affects men, women and children worldwide. Domestic violence against men has been a controversial area in the study of domestic violence. There has been considerable debate on the topic, but very little scientific data exists (Gelles, 1974). The domestic violence conversation in Nigeria is centrally about women as victims and men as aggressors. Over decades, media attention and prevention programmes relating to domestic violence have mainly focused on women as the victims and men as the perpetrators. The underlying idea is that violence is predominantly physical and a prerogative of men. Domestic violence is not new to the Nigerian society and of recent male victims of intimate partner violence have become a part of regular public discourse on domestic violence. Ironically, of recent, beaming its search light on this, the media has brought to the fore cases of male victims- a development that has also triggered public interest.

Intimate partner violence (IPV), which includes physical, sexual, and psychological maltreatment of one partner against another, is a national social and health problem affecting hundreds of thousands of individuals and families a year (Centers for Disease Control 2006; Tjaden and Thoennes 2000). Over the past few decades, a growing number of studies have been released that support the contention that females perpetrate violence at rates equal, or similar, to males (Fiebert, 2004; Straus, 1999). This essay is primarily concerned with the domestic aspect of gender-based violence particularly among married couples or intimate partners generally. A common sense of domestic violence, as observed by Domestic Violence and Incest Resource Centre (2001:9), tends to imply a man being violent in some way toward a woman with whom he is in an intimate relationship.

How established a relationship has to be to qualify as 'intimate' is subject to different definitions. Despite the challenges being faced by sub-Saharan African States in enacting and implementing legislative reforms, however, there is now a widespread recognition that gender-based violence must be addressed. While many factors are known to influence public perceptions about violence against men in Nigeria, predictors of domestic violence by women against their partners have not been studied extensively. Thus, it is contended in this essay that more research is needed on Intimate Partner Violence (IPV) against men, its impact on the family and the society at large. It is also suggested that governments, at all levels, should continue to aggressively pursue domestic violence offenders with a view to curbing the menace in the society.

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II. Gender-based Violence in Nigeria: Conceptualisation and the Popular Perspective

Today, domestic violence is viewed as a serious social problem and a crime. The debate is between those who perceive domestic violence only to battered women (Johnson, 2005) or battered men (Hines, Brown, & Dunning, 2007; Stwan, et al., 2008). This societal conflict has resulted in the argument that, if males are victims of domestic violence, then it is due to the self-defense of women being abused (Hines, Brown, & Dunning, 2007). The terms domestic violence, intimate partner violence and family violence are often used interchangeably. Collectively, they refer to a range of behaviours that are violent, threatening, coercive or controlling that occur within current or past family or intimate relationships (ANROWS & Our Watch 2015:3). Gender-based violence (GBV) can be described as any harm perpetrated against a person, as a result of power of inequalities that are based on gender roles. According to the United Nations Economic and Social Council (1992), gender-based violence is all encompassing, as it is not only limited to physical, sexual, and psychological violence, but include threats of coercion or arbitrary deprivation of liberty.

GBV is often divided into two interlinked categories, interpersonal and structural/institutional violence. Interpersonal violence refers to an act of economic, sexual, psychological or other violence perpetrated by an individual against another individual. Structural/institutional violence refers to 'any form of structural inequality or institutional discrimination that maintains a person in a subordinate position, whether physical or ideological, to other people within her family, household or community' (Manjoo, 2011). Both types involve the prioritisation of hegemonic masculinities above the rights of other gendered identities. Though, gender-based violence may take many forms, it cut across all cultures, disproportionately affect women and children mostly. Recent research from industrialized countries suggests that the forms of partner violence that occur are not the same for all couples who experience violent conflict. There would seem to be at least two patterns according to Johnson (1995):

- A severe and escalating form of violence characterized by multiple forms of abuse, terrorization and threats, and increasingly possessive and controlling behaviour on the part of the abuser
- A more moderate form of relationship violence, where continuing frustration and anger occasionally erupt into physical aggression

Gender-based violence (GBV) is the general term used to capture violence that occurs as a result of the normative role expectations associated with each gender, along with the unequal power relationships between the two genders, within the context of a specific society." (Bloom 2008:14). Domestic violence against men is a term describing violence that is committed against men by the man's intimate partner (Sugg, Thompson, Thompson, Majuro, and Rivara, 1999). The general perspective however, is that the majority of persons affected by gender-based violence are women and girls, as a result of unequal distribution of power in society between women and men. Further, women and girls victims of violence suffer specific consequences as a result of gender discrimination.

The concept of domestic violence is based around power and control. The Duluth Model acknowledges the cycle of violence and how it is continued through methods of economic abuse, emotional abuse and, isolation (Domestic Abuse Intervention Project, n.d.). Much has been written about causes of and risk factors for intimate partner violence. A research (See Carlson and Worden, 2002) concludes that no single factor explains the occurrence of domestic violence. Rather, risk is associated with numerous factors, including social background (youth, low income, urban residence), relationship characteristics (conflict, marital status), and history and characteristics of perpetrators as well as victims (early exposure to family violence. stress, and personality problems of offenders).

Families from all social, racial economic, educational and religious backgrounds experience domestic violence in different ways. Domestic violence affects not just the victim but indirectly all those who witness the violence; children, family, relatives and witnesses to the physical abuse and violence. It predisposes the children to trauma and other psychological problems throughout their lives and worryingly, they may learn to become victims or abusers later on in life and hence the way the cycle continues. Victims of domestic violence are often in a position of dependence (financial, emotional, physical and otherwise) on the person abusing them, for instance, a husband and a wife, children and parents, dependent relatives, aged parents and domestic servants. Victims often have low self-esteem, finding it difficult to trust others. The anger and stress experienced by victims may lead to depression and other emotional disorders sometimes leading to suicide (CDC, 2006). Victims may also exhibit harmful health behaviour like excessive smoking, alcohol abuse, use of drugs and engaging in risky sexual activity.

III. The Changing Tide: Reasons and Circumstances

The victimization of men by their women partners is a serious social problem and it is largely ignored by the society. Compared to the extensive

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literature on male perpetrators of intimate abuse (Dutton, 2002; Hamberger & Hastings, 1991; Holtzworth Munroe, Bates, Smutzler, & Sandin, 1997), the literature on female perpetrators is scant. The abuse of men is being fuelled and fomented by government, legislation and societal stereotypes. Female victims seem to generate more passionate reaction from the public and government as observed over the years. And this is understandable, given their long history of abuse by men. Though domestic violence against men (DVAM) in all its forms is not new by any chance, what is of great concern is the fact that in the last few years there has been a rapid increase of cases involving women beating their husbands. The most common forms of violence are physical battering and psychological abuse.

Over time, women have been known to be victims of domestic violence but the tide is starting to turn now – abuse against men in the home is on the rise in Nigeria. In the last two years or thereabout, media reports have also alluded to suspicion over unfaithfulness and quarrels over money as the other contributing factors. A Public Opinion poll conducted by NOIPolls Limited (2016) in partnership with Project Alert on domestic violence revealed an increasing prevalence of domestic violence across Nigeria in recent times as reported by about 8 in 10 (78 percent) respondents. This prevalence is highest in the South-West geo-political zone (86 percent) and lowest in the South-South zone (70 percent). More findings revealed that 54 percent of Nigerians have suffered a form of domestic violence or know someone that has experienced domestic violence in their homes with majority of the victims being women as stated by 75 percent of respondents; although 'men' (16 percent) and 'children' (9 percent) are also known to be victims of domestic violence (NOIPolls, 2016).

Just like domestic violence against women, violence against men may constitute a crime, but laws vary across jurisdictions. Socio-cultural norms regarding the treatment of men by women, and women by men also differ, depending on the geographic region. According to reports, every year, about 3.2 million men in the U.S are the victims of assault by an intimate partner. Most assaults are of a relatively minor nature such as pushing, shoving, slapping or hitting, though a good number are more serious and some even end in homicide (Audu, 2015). As opined by Edward Rhymes (2014), the hesitance in speaking about female-initiated domestic violence is rooted in a very real concern about what the discussion can give way to: a dismissal and abnegation of the actual dangers women face. That, however, fails to be a compelling reason not to discuss the role of women in domestic violence.

The same protocols that are used to address domestic violence against women are used to handle domestic violence against men, and research tells us that the same abusive behaviors and tactics demonstrated by men (physical, verbal and emotional threats and intimidation) are also demonstrated by women. And the fear and shame that is felt as a result of being abused, as well as the excuses made to cover up the abuse, are not gender-specific (Rhymes, 2014). In Nigeria, the reasons for domestic violence have been identified to include drunkenness, infidelity, and financial misappropriation (Ilika et al., 2002). Abuse of men takes many of the same forms as it does against women - physical violence, intimidation and threats; sexual, emotional, psychological, verbal and financial abuse; property damage and social isolation. Many men experience multiple forms of abuse. Men, more so than women, can also experience legal and administrative abuse - the use of institutions to inflict further abuse on a victim, for example, taking out false restraining orders or not allowing the victim access to his children.

From the title of this essay, it clearly suggests the fact that women have always primarily been victims of gender-based violence and that the upsurge in cases of women being perpetrators are symptomatic of their past horrible experiences and thus, a sort of revenge to get back at their spouses when provoked. As a matter of fact, the fallacy that women only use violence in the context of self-defence and retaliation deserves attention. Many studies suggest that self-defence is not always the cause of female violence. Straus (1997) found that about equal numbers of women and men attacked partners who had not been violent to them during the previous one year.

Several studies have found that male victims of intimate partner violence have steadily increased, although the numbers of victims are not always equal to women. A report (See The Observer, 2010), claims that about two in five of all victims of domestic violence are men, contradicting the widespread impression that it is almost always women who are left battered and bruised. Men assaulted by their partners are often ignored by police, see their attacker go free and have far fewer refuges to flee to than women, says a study by the men's rights campaign group *Parity*. The analysis of statistics on domestic violence shows the number of men attacked by wives or girlfriends is much higher than thought. Its report, *Domestic Violence: The Male Perspective*, states: "Domestic violence is often seen as a female victim/male perpetrator problem, but the evidence demonstrates that this is a false picture"(The Observer, 2010). Men who find themselves as victims of domestic violence are often viewed by and made to feel emasculated and weak.

The prevalence of women as perpetrators of partner abuse in sub-Saharan Africa ranges from fairly low in South Africa for "hitting, pushing, or slapping," the most common forms of partner abuse (Kaminer et al., 2008), to 34% in a Kenyan population-based survey (Simister, 2010). In a household survey of several thousand men and women conducted in mainly rural areas across eight sub-Saharan countries, 14% of men

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and 18% of the women reported partner abuse victimization notwithstanding wide differences in prevalence between countries and even within countries by languages spoken (Andersson et al., 2007 cited in McCloskey et al, 2016:282). According to these researchers, the largest gender gaps in self-reports of victimization were in the two countries with the lowest (Malawi) and the highest (Zambia) overall prevalence of partner violence—more than twice as many women as men disclosed victimization in Malawi (11% vs. 6%) and 42% more in Zambia (36% vs. 21%). Although domestic and gender based violence has been, and remains an issue of great concern in Nigeria, there are still insufficient data to truly measure the extent of damage this social malaise may have done to the psyche of many families.

Domestic violence, having women as perpetrators, has been on the increase in Nigeria, particularly in the last few years. The increase, largely attributed to the renewed media focus on this aspect of gender-based violence, is often rationalised on the premise of self-defence or revenge attacks by the women. Thus, in what may be regarded as one of the landmark changes in human history, the trend is empirically turning the conventional narratives against men in an African society like Nigeria. Curiously, despite numerous studies that report the preponderance of domestic violence being perpetrated by men against women, the latter are becoming perpetrators of some of the most heinous domestic violations in their marriages. Partially due to the socio/cultural inhibitions- the Nigeria society is a highly patriarchal one, in which men have bloated egos- men generally feel ashamed, worthless and sometimes confused when abused by the opposite sex. Domestic violence against men, according to Olusode (cited in Oladipo, 2012), is a daily occurrence but such cases are not reported due to the stigma and male chauvinism. Olusode observes that:

> Indeed there are cases of domestic violence against women but there is no doubt that men are also experiencing violence from their wives and girlfriends. The issue is that these men do not come out to tell people that they were beaten by their wives or violated by their female lovers. They even hardly tell such things to their friends due to the fact that it is seen as a shame for a man to be beaten up by a woman.

A review of the literature indicates that like men, women initiate abuse, women commit unilateral aggression (i.e., against non-abusive partners), sometimes of a serious nature, and the majority of abusive relationships involve mutual abuse; the evidence is broadly consistent, regardless of the gender of the respondents (Dutton and Nicholls, 2005; Ehrensaft et al., 2004). Findings from studies examining women's motives for using aggression mirror research comparing the prevalence and incidence of abuse by men versus women, motives and contexts reflect the sampling procedures used in the various studies (Dutton, et al 2016). Specifically, research in female clinical samples reveals high rates of self-defense, retaliation, and aggression reportedly due to fear of impending attacks by partners that have been assaultive previously (e.g., Saunders, 1986 cited in Dutton et al, 2016). There also is some evidence to suggest that women's aggression is a reflection of dysfunctional attempts to establish emotional closeness to their partner. Fiebert and Gonzalez (1997) found women reported using abusive tactics to obtain their partner's attention and to attempt to engage them.

In what ways can a woman met out domestic violence on her man besides assaulting him physically? Here are a few ways a woman can be guilty of domestic violence according to Makinde (2016):

- If she is excessively possessive, act jealous, or harass him with constant accusations of being unfaithful.
- If she threatens to hurt or kill him.
- If she verbally abuses him, belittles him, calls him names like stupid, moron, etc, puts him down or humiliates him in front of his friends, colleagues, or family or even on social media sites as this is the latest trend.
- If she intimidates him with guns, bottles, knives, pestle or other weapons.
- If she destroys things that belong to him. For example we often hear of women smashing their husband's car windshield or oter properties in the home like TV and Glass doors whenever they are upset.
- If she prevents him from going to work, takes away his car keys or tries to control where he goes and whom he sees.
- If she controls how every penny is spent in the household and deliberately default on joint financial obligations.
- If she enjoys fabricating stories or making false allegations about him to his friends, employer, or the outside world generally just so as to damage his reputation or find ways to manipulate and isolate him.
- If she makes unwanted sexual demands; forcing him to have sex or engage in sexual acts against his will or to do things sexually that he is not comfortable with.
- If she stops him from seeing family members and friends or she is jealous of time he spends with them or she therefore tries to control who he sees, where he goes, or what he does.
- If she is stalking him or monitoring his every move in person, his social media accounts, his emails or his phone.

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- If she constantly taunts him that he is a bad parent or threatens to hurt or take away their children.

Many cases of violence against men however do not catch public attention because the concerned parties, usually the men, do not know what to do about it or are afraid to speak out. The few cases that capture media or public attention are often horrific in one way or another. When such cases are reported to the relevant authorities or raised in public, victims often face social stigma as well as possibilities of retaliation and other dilemmas. Cultural norms about the treatment of men by women as well as of women by men have varied greatly depending on geographic region and sub-region, even area by area sometimes, and physically abusive behavior of partners against each other is regarded varyingly from being a crime to being a personal matter (Njuguna, 2014). Even while there has been a marked shift in the way this issue is discussed and a definite push to have it taken more seriously, there are still far too many stories going untold. Interestingly, the other story pertaining to women readily attracts public attention as often told by women themselves. According to Mari Lilleslåtten (2017), "women's lives are primarily studied by female researchers. This is also the case when it comes to the field women, peace, and security. Most research focus on and attend to women's voices, meaning that we hear one side of the story".

IV. Violence against Persons (Prohibition) Law

As a general matter, but with significant variations in the scope and type of protection afforded, gender crimes are covered by international humanitarian, criminal, and human rights law (Askin and Stefan, 2003). The widespread inclusion of a prohibition of gender-based violence in international and regional treaties and declarations, its recognition and application by the international tribunals, as well as its prevalence in the national legislation of the majority of States indicates that this prohibition represents a consensus in the international community about the normative force of a prohibition on gender-based violence (Stark, 2001).

Governments are legally obligated to address the problem of gender-based violence through a range of measures, including legislation. In Nigeria, the Violence Against persons (prohibition) Act (VAPP) was passed into law in May, 2015. The Act was a result of agitations for protection of persons against the different forms of violence. The Act is the result of 14 years of activism by civil society. Starting just after the transition to democracy with the formation of the Legislative Advocacy Coalition against Violence against Women (LACVAW) in 2001, activists consistently pushed for national legislation prohibiting violence against women. The content of the Act is home grown, reflecting the realities of violence in Nigeria today, even as it incorporates provisions based on Nigeria's commitment to international human rights principles. First presented to the House of Representatives in May 2002, the Bill on Violence Against Women became a Bill on Violence Against Persons in 2008 when it was harmonised with 8 other Bills on gender based violence in the National Assembly. It took another seven years for it to become law (Anarado, 2015).

Violence, both at the home front and the larger society, is fast becoming a trend in the recent day Nigeria. Daily, we hear of someone killing or maiming their spouse; or a scorned lover pouring acid on an ex-lover; or someone being forcefully taken away from their family and loved ones. It was the need to protect citizens from violence such as these that led to the enactment of the VAPP Act, 2015. The Violence Against persons (Prohibition) Act is an improvement on the penal and criminal code in relation to violence; it also makes provision for compensation to victims as well as the protection of their rights. The content of the Act is rich in its provisions as it covers most of the prevalent forms of violence in Nigeria today ranging from physical violence; psychological violence; sexual violence; harmful traditional practices; and socio-economic violence. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) is named as the service provider (section 44).

Under the VAPP Act, rape[section 1], spousal battery[section 19], forceful ejection from home[section 9], forced financial dependence or economic abuse [section 12], harmful widowhood practices[section 15], female circumcision or genital mutilation[section 6], abandonment of children[section 16], harmful traditional practices[section 20], harmful substance attacks [section 21] such as acid baths, political violence [section 23], forced isolation and separation from family and friends[section 13], depriving persons of their liberty[section 10], incest[section 25], indecent exposure [section 26] and violence by state actors[section 24] (especially government security forces) among others are punishable offences. Victims and survivors of violence are entitled to comprehensive medical, psychological, social and legal assistance by accredited service providers and government agencies, with their identities protected during court cases. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) is named as the service provider.

The major drawback in relation to this law, as variously pointed out by analysts, is its limited application to the Federal Capital Territory, Abuja and only the High Court of the Federal Capital Territory Abuja empowered by an Act of Parliament has the jurisdiction to hear and grant any application brought under the Act. Although some states of the federation like Lagos, Imo, Ekiti, Kogi, Amambra, Plateau etcetera have enacted related legislation, it is expected that the remaining states of Nigeria will take immediate necessary action to

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adopt and enact similar law on violence against persons. However, the concern in this essay goes beyond the limited application of the law.

Given that there are many hundreds of support programs, Web sites and public-interest media items for female victims of domestic violence and only a handful of Web sites for male victims, perhaps this may have bolstered the general perception that women are mostly victims of domestic violence and dampened the spirit of male victims from speaking out to seek help.

With regards to the Violence Against Persons (Prohibition) Law in the country, it is envisaged that lack of political will from leaders, civil servants and other decision-making bodies as well as community interest can affect the effective implementation of the law. The low level of awareness about the law, the culture of condoning domestic violence as a family affair not deserving to be reported as a crime, and the negative depiction of victims of domestic violence who flee from perpetrators, have combined to limit the enforcement of the law. Though it appears gender neutral by affirming the fact all persons suffer some form of violence, the concern in the public domain, especially by the civil society groups, has always been on the protection of women and girls from violence as exhibited in the initial draft of the bill entitled: Violence Against Women (Prohibition) cannot be said to have changed with the new title.

V. Between Law and Culture: Implementation and the Envisaged Outcomes

Sexual violence against men as a constituent element of genocide, crimes against humanity, and war crimes often goes under noticed, under prosecuted, and, ultimately, under punished (Lewis, 2009). Feminist theory states that intimate partner violence is an accepted form of "power and control" by men in a patriarchal society. But according to Straus (2011) the predominant immediate motives for violence, by women as well men, are frustration and anger at some misbehavior by the partner:

> They are efforts to coerce the partner into stopping some socially undesirable behavior or to practice some socially desirable behavior. … Studies have found that women engage in coercive control as much as men.

Further, intimate partner violence is more likely to be mutual or female-initiated than male-initiated. In an analysis of 36 general-population studies on IPV and dating violence, Straus (2011) found that women were half as likely to perpetrate serious physical violence. The 14 studies which also examined whether the violence resulted in physical injury showed that men inflicted injuries more often than women, but the difference was not that great. The rate for women injuring a partner was 88% of the male rate. Studies with a high percentage of men inflicting injury are, without exception, also studies with a high percentage of women injuring a partner. The impacts of domestic violence on male victims include:

> Fear and loss of feelings of safety; Feelings of guilt and/or shame; Difficulties in trusting others; Anxiety and flashbacks; Unresolved anger; Loneliness and isolation; Low self-esteem and/or self-hatred; Depression, suicidal ideation, self-harm and attempted suicide; Use of alcohol or other drugs to cope with the abuse; Physical injuries; Sexual dysfunction and/or impotence; Loss of work; Loss of home; Physical illness; Loss of contact with children and/or step-children; Concern about children post separation (http://www.oneinthree.com.au/malevictims/).

One of the ways women's acts of violence are explained is that they're said to be acts of self-defense. And while in many cases this is true, one would have to systematically discount the testimonies of thousands of victims who report otherwise to believe this is the only context in which men are battered by women (Gaboury, 2013). Psychosocially, depending on prevailing cultural norms, a male victim of intimate partner violence may additionally face isolation, abandonment by family members (who consider him a weakling), shame, and stigmatization.

Domestic violence against men is a term describing violence that is committed against men by the man's intimate partner (Sugg, et al, 1999). United Kingdom-based campaign group Parity, claims that assaults by wives and girlfriends are often ignored by police and media. Men assaulted by their partners are often ignored by police, see their attackers go free and have far fewer refuges to flee to than women (Audu, 2015). Data from Home Office statistical bulletins and the British Crime Survey show that men make up about 40% of domestic violence victims each year. Figures suggest that as many as one in three victims of domestic violence are male. However, men are often reluctant to report abuses by women because they feel embarrassed, or fear that they won't be believed, or worse, that the police will assume that since they are male, they are the perpetrators of the violence and not the victim (Audu, 2015).

Despite over 30 years of research documenting that men can sustain female-perpetrated physical, sexual, and psychological IPV, these findings remain controversial. Those that are especially controversial are statistics showing that women report using physical IPV at equal or higher rates than men, a finding that has been replicated in dozens of studies (Archer 2000 cited in Douglas and Hines, 2011). This finding of a high rate of violence by female partners has been challenged primarily on conceptual bases because it is inconsistent

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with the dominant theoretical perspective of the cause of IPV: the patriarchal construction of the society (Ferraro and Johnson 1983; Marshall 1992; Miller and White 2003 cited in Douglas and Hines, 2011). This controversy may help explain why men may face difficulties when seeking help for IPV victimization.

A major reason men are often reluctant to report victimization concerns socio-cultural stereotypes of masculinity; male victims of IPV often hide their suffering due to fear of being judged negatively by others, and/or having their masculinity questioned. For some men, this evasive behavior is based upon the fear of being ridiculed by friends or co-workers, by shyness in dealing with peers and/or with (non-violent) women, and by fear of people saying that the woman is the real victim, and must have been acting in self-defense (Migliaccio, 2002). For a man to admit he is the victim of female perpetrated IPV necessitates the abandonment of the veneer of machismo which society expects from men, and to admit being submissive to a female partner. For some men, this is an admission they are unwilling, or unable, to make. Some researchers have also demonstrated a degree of socio-cultural acceptance of aggression by women against men, whereas there is a general condemnation of aggression by men against women. This can lead to men not considering themselves victims, and/or not realizing the IPV they are experiencing is a crime.

Philip Cook's book *Abused Men: The Hidden Side of Domestic Violence* offers an account of the politics of statistics across four decades of research on intimate partner violence, chronicling the ways in which the battering of men is overlooked and under-discussed. Cook points out that women make up 20% of domestic violence arrests and, in the reissued version of the book released in 2009, shows how these figures have changed over time, reflecting reporting practices rather than a dramatic increase in the levels of violence (Gaboury, 2013). In Nigeria, the difficulties preventing the creation of implementable domestic abuse policy originate from the sensitive nature of the topic. The discussion of private matters such as sex and marital relationships presents a taboo in Nigerian culture. Defying a traditional societal role is also considered to be a societal transgression (Sogade, 2016). The underlying cultural belief in our hyper masculine society considers men who suffer from violence at home as weak- the kind to be shamed and ridiculed and pinned up as examples of men who were simply "not man enough" (Pala, 2016). For largely this reason, battered men remain invisible, left with nowhere to turn, in a society that firmly believes that 'weak men' are second class victims squarely to blame for provoking the ire of their partners (Pala, 2016). According to Baker-Jordan (2017):

> The way we construct masculinity excludes weakness and assumes men will be physically dominant over one another and over women. It's what sociologist Paul Kivel calls the "act-like-a-man box," in which men are expected to be violent and in control, particularly in control of women, while suppressing their emotions and sucking it up whenever life doesn't go their way. When a man steps outside of this box, he is often ridiculed as weak or as not being a "real" man.

Curiously however, whereas women who experience domestic violence are openly encouraged to report it to the authorities, it has been argued that men who experience such violence often encounter pressure against reporting, with those that do facing social stigma regarding their perceived lack of machismo and other denigrations of their masculinity. Additionally, intimate partner violence (IPV) against men is generally less recognized by society than IPV against women, which can act as a further block to men reporting their situation.

It is argued that part of the reason that many African governments have not yet created or effectively enforced laws against domestic violence is that such laws are viewed by some as contrary to traditional culture. Before the domestic violence bill passed in Ghana, for example, some traditional rulers stated that they felt the bill was an undesirable imposition of Western values, and that they saw the bill as "destructive, rather than helpful, to family life within the cultural context of Ghana" (Dovlo, 2005). Similarly, in Nigeria, the hitherto draft domestic violence bill was criticized on the grounds that its provision against marital rape is "western" and "against the culture of Nigeria" (Manuh, 2007).

VI. Male Victims: Breaking the Barriers of Silence

Gender-based violence has significant impact at the individual level, with victims suffering from physical and mental effects, loss of earnings and increased healthcare costs. It also has a wider societal impact, including lower productivity and thus reduced economic output and growth, and increased pressure on social and health services. Quantifying the cost of GBV in terms of human suffering and economic indicators is difficult: its hidden nature makes prevalence hard to establish. A number of methodologies have been developed, each of which offers both strengths and weaknesses, and these need to be assessed on a case by case basis.

The culture of silence and stigma in Gender Based Violence (GBV) undermines the health, dignity, security and autonomy of its victims, yet it remains shrouded in a culture of silence (UNFPA, 2015). Disclosure of abuse is a vital step in the process of finding a lasting solution and breaking the abuse chain. Thus, unless victims, particularly men in this instance

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(who are usually constrained by ego and shame) are willing to disclose abuse and make use of available resources, screening for and eventual management of Intimate Partner Violence may be heavily constrained. Indeed, in some instances, the rationale for government funding being directed to services for male perpetrators and women and children victims of violence is often given as, "men make up such a small percentage of victims of family violence that services should focus on the majority of clients: women and children" (Walks, 2012).

The law enforcement response to domestic violence is low partly because victims do not want to report the crime and police officers do not think that responding to calls relating to domestic violence is real police work. According to Buzawa and Buzawa (1996) the same can be said for the court system because the dismissal of domestic violence cases is high in part because the prosecution makes the victims feel responsible, the attitudes toward the abuser tend to change over time for the victim, and the victims think that the incident was a result of their behaviour. Victims tend to bear the costs of prosecution in the form of retaliation from an economical and physical standpoint.

Laws on domestic violence are gender neutral and apply equally to protect men as they do women. As earlier stated, often times, male victims do not come forward in domestic violence cases because they are worried about social stigma. However, by not coming forward they are also not getting the support they may need to break the cycle of violence. While expressing concern on the alarming rate of domestic in the country, Odumakin (Cited in Ajiboye et al, 2006) affirms that her office handles more than 2,400 cases of domestic related violence on annual basis. Ironically, only two have been cases of men who reported being beaten or brutalized by their wives.

VII. Concluding Remarks

Battered husbands cut across all ages, educational levels, and socioeconomic classes. Male victims of domestic violence deserve the same recognition, sympathy, support, and services as do female victims (Dienye and Gbeneol, 2009:338). A new law prohibiting violence is not sufficient enough to change Nigerian society but it does send a strong message that impunity for such action no longer prevails and that this issue is a matter of national concern. However the government, civil society, international donors and Nigerians need to take continued action and implement the VAPP Act to ensure perpetrators are convicted and, most importantly, that the culture that permits and enables violence changes (Anarado, 2015). The scholars in the field of criminal justice must actively research the reason for this rise in violence by the women. Empirical research needs to be conducted on police training of handling cases involving male victims. Community policing techniques such as public education campaigns and community meetings are needed to inform citizens about domestic violence, including intimate partner violence and the public expectation from law enforcement agencies (Shuler, 2010:171). The need to regard domestic violence from a psychological rather than a socio-cultural perspective should be emphasized. People should be made to understand that adults can change the social norms that justify domestic violence by (1) being role models and working together to end violence in the home (2) modelling non-violent relationship (3) disseminating information which condemns domestic violence.

To eliminate domestic violence and live in a society protective of human dignity requires political will on the part of the society and recognition of the humanity of everyone by all. As such, parents should teach their children to respect the institution of marriage. While couples should ensure that peace reigns in their families – just as a woman builds her home, the man should lay the foundation at building by not shirking his responsibilities and by showing love and care. Similarly, the media and civil society organisations must help in raising awareness about the criminal nature of domestic violence against a man or a woman, provide information about support services and protective laws, and encourage citizens to break the culture of silence by reporting cases of violations.

Furthermore, both African and religious values are at convergence on having peaceful families. So, traditional and religious leaders have a huge role to play in the restoration of family values, mutual love and respect, harping on the need for families to bind together in good and bad times (The Guardian, 2017). The taboo surrounding domestic violence prevents discussion and accurate data reporting. To resolve the tensions caused by this problem in Nigerian society, it will be necessary to remove the stigma around domestic violence. This can practically be achieved through the creation of government-sponsored community programs that directly address physical and psychological violence (Sogade, 2016). Domestic violence is not bound by gender, economic status, social station, age, culture, race or religion. Addressing domestic violence through a singular gender viewpoint undermines the equally real struggles of abused male victims (Pala, 2016). In Nigeria, besides the culture of silence and societal stigmatisation, information for the vulnerable as well as support for victims are still grossly inadequate making the fight against gender based violence a long walk yet to begin. These are some of the challenges needed to be addressed in order to end the increasing rate of Gender Based Violence (Channels T.V, 2014).

While legislations to curb domestic violence against men and women (persons) have been put in

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place in Nigeria, law enforcement agents should also accept that husband battering and other forms of domestic violence against men is a reality, from which men are to be protected. The brutality of a man by his wife, as rightly posited by Njuguna (2014), should not be seen as a trivial domestic matter. The trials of women who batter or kill their husbands must be given wide publicity in order to serve as deterrence to others who may have such tendencies. There should be greater advocacy to enlighten the public about the existence and reality of the evil of domestic violence against men by government agencies, religious groups and civil rights organizations. This will help in balancing the gender discourse on domestic violence.

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To Which Direction, Iran Community Goes? Tradition or Modernity

By Javad Bahmani

Abstract- In Sheikh Safildin Ardebili era and then Esmail Safavi wearing the cloth of Sheikh, occupied the cities one after another in the first city, Ardebil called Ali Valiollah to establish Shia religion in the country. What was the reason, He released himself of Ottomans to believe it really. Since that era, superstition of this religion was increased and sometimes distinguishing wrong from right is impossible. By a review of present community and its cultural link with the past, I find about the causes of duality in selection of path by people. This issue motivates my thoughts to respond and this is the final aim of this study.

Keywords: *tashayo, safavid, modernity, tradition.*

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I. Introduction

In this discussion, the aim is not evaluation of shia or Sunni or other schools, our view is regarding the effect of depth of change in Esmail Safavi era in this country. Some of Safavid dynasty kings were famous but there were some problems in the government. Finally, the throne was given to Mahmood Afghan. This also took their life. Sultan Hussein gave Isfahan rapidly. In Safavid and Ghajar era, people were intended to jurisprudence and they shed blood for a name and searched their identity. The Sunni religion of Arabs and for attack of Arabs, they were alive. This requires a psychological searching. In that society, as they were born Muslim, they were also Shia. This is originated from the culture in which a country without feudalism was born totalitarian government to maintain private properties and created a wide ground to achieve functionality in which the jurists attributed God selected to the king. All Safavid and Qajar dynasties had no special evolution in government, civil society and private economy.

II. The Society Interrelated in Tradition

In the review of the past 100 years, being away from rationality is important. In contemporary era, instead of healing the disease, people do evil and one of them is not thinking about the governance of country in these years and accepting everything and events and associating it to God will was a great disaster. Allah says, if a nation doesn't want, their destiny is not changed. In constitutionalism era, people gave the government to Rezakhan and political oppression was increased and people were away from constitutional elements and rightful desires were suppressed.

III. Abnormal Transition from Feudalism

The discussion presented by most of friends is the lack of feudalism in the country and its transition to achieve bourgeois or industrial capitalism for investment in industry and competition with feudalism and superiority of industrial investment and economic freedom and political freedom can be considered.

This issue is reasonable to some extent. All the world passes this path for growth and welfare of society? We should give value to shortcut thoughts to make religious and political rationality in people alive.

a) Capital absorption

One of the most important methods to move the country to progress of absorption of local and international capital is based on the models of developed or developing countries to have an independent industry for interaction with commercial and economic world as fossil and fuel are not belonging to any wise generation charge on it. In our country, to absorb capitalism and economic growth, it is required to resolve political mechanism. The country should be in good condition in terms of investment degree. If we are not involved in instability in political decisions and lack of change of revolutionary strategy, and we shouldn't restore stability in foreign affairs with all neighbors and countries around the world, being away from economic problems is not useful. In this era, economic activity is international and no country can consider itself at the level of semi-developed countries. In this way economy is close and this is confusing. By being away from tradition and blind following, people should challenge the reasons of not being modern and change this period of human thought.

b) Cultural interaction

If we consider the cultural foundations of society as the factors in behavior and deeds, we can review the effective bases in this regard. Believing in superstition and instead of healing the disease, resorting to superstition, our God emphasizes on thought, wisdom and all of them are dependent upon thought progress of human being. We can not live in Aristotle or Plato era to regulate the type of our thought. The cultural interaction factors with the world including art, literature, historical roots belonging to all the world can be exchanged with

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other countries to update our view in terms of science and information and this view doesn't influence us.

c) We and modernity

Using modern instruments in our country has a long history. Different import technologies and lack of export, does modern thought have any position. What does it mean? Modern thought at first is inquiry feeling of society of rulers and obliging them to respond to the society considering them as an executive institute, the answer of employee to the chief and in next stage is accepting different thoughts by society as God says: Listen to all saying and accept the best one. Is this in contradiction with God words or as he says, by pen and what is written. Modernity presents freedom of speech, writing and thought as it creates new thoughts and progress of country and human being. Ordering to counseling for government management and God emphasizes more on counseling. I don't intend to evaluate all modern thoughts with religious view but I raised some examples for extremists. The country in which, the people are the owner and they move to globalization and in open internal politics, toleration is a good choice. One of the basic rights of a nation is right of choice and selecting. Limiting or unsuitable supervision can avoid the entrance of good people to decision making centers. The parties can make thought stable in society and team work is taught. Free art is with creation as making the society not only creative but also generative. I believe that short speech is useful compared to repetitions.

IV. Conclusion

Our society in transition from tradition to modernity is encountered with the great challenge of involvement in old beliefs. Most people accept modernity indices and consider them rational but they consider their wisdom in another place by changing traditions. The view of this transition can make some problems in 21th century and the conditions are changed compared to the past. The political openness is the first step for our country to achieve good economic growth and joining global market.

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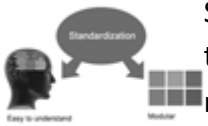

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	A-B	**C-D**	**E-F**
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Methods and Procedures	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
Result	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
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References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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