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CENTER FOR FISCAL TRANSPARENCY AND INTEGRITY WATCH

The Center for Fiscal Transparency and Integrity Watch (CeFTIW) is a non-partisan and non-governmental organization established in 2016 to promote good governance by strengthening systems and mechanisms that enhance transparency and accountability across all levels.

The Center has over time worked with critical partners in government, media and civil society to implement programs and interventions aimed at strengthening legal and institutional frameworks within the criminal justice system toward strengthening democracy and improving governance in Nigeria.

Organized crime is a pervasive and complex issue that threatens global stability, security and the rule of law. It is a phenomenon that transcends borders and affects communities globally and it keeps transforming. From drug trafficking to human trafficking, money laundering to cybercrime, organized crime syndicates are constantly modifying, have become more sophisticated, use loose structures, utilize advanced technology and exploiting legal and financial systems to evade detection and prosecution. Organized criminal networks engage in different types of criminal activities that span different countries, regions and territories.

The Countering Organized Crime Program is run by the Center for Fiscal Transparency and Integrity Watch to explore and adopt effective strategies in tackling organized crime

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Published in Nigeria in 2023

by Center for Fiscal Transparency and Integrity Watch

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A Policy Perspective for Governance

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Acknowledgement

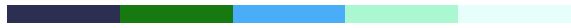
The idea for this work began with my interaction with the Executive Director of the Centre for Fiscal Transparency and Integrity Watch on the Centre's activities. I was invited to the public presentation of Transparency and Integrity Index 2022 and the unveiling of the Probes Monitor Portal developed by the Centre in its efforts to combat and curtail corruption in Nigeria's public sector.

I had noted then that the emergence of the Portal was significant for two reasons. The first was that the Portal resurrected History in the public space. The second was that the Portal made history by drawing and keeping attention on aspects of the unfinished business in the legislature and in Nigeria's democratic journey. The Portal's significance was in reinstating the pressing need to democratize ideas, build institutions and add value to persons.

In my attempt to review aspects of the Portal after the formal launch, the idea to designate this unfinished business of the legislature as corruption or the abuse of entrusted power for private gain developed inside of me. The inauguration of probes into aspects of public sector programmes by the National Assembly (comprising the House of Representatives and the Senate) and the subsequent abandonment of these probes midway is arguably another version of corruption. I shared my thoughts with the Executive Director. Subsequently, he requested me to develop such thoughts into a proposal for submission to the Centre for possible funding.

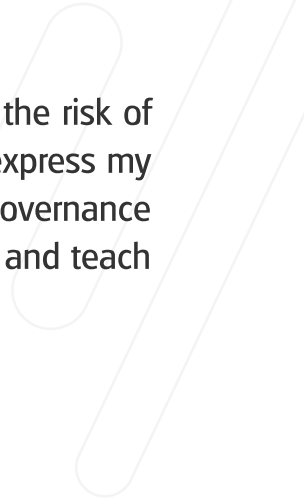
Following my discussion with the management, the management suggested that I write on "security and anti-corruption as a policy document for governance". It was, for me, another dimension which leverages on my long-standing work on security. Arguably, the Centre and I have different views on security and thus anti-corruption. Therefore, I tweaked the title to "security and anti-corruption: a policy perspective for governance." While the Centre's view on security is the law and order type, my perspective on security transcends the Centre's to advocate for a security cum philosophical construct arising from the failure of such law and order orientation of security for the benefit of civil rule and governance frameworks.

Notably, in the last twenty-three years of representative rule, the civil rule and governance frameworks ignored much of the issues bordering on security. Therefore, I critiqued the dominant but failed and failing security perspective within the context of anti-corruption and thereafter proposed my perspective of security that is capable of simultaneously creating the culture of anti-corruption in persons and agencies.



I thank the Executive Director of the Centre, Mr. Umar Yakubu, for his and the Centre's pioneering work in evolving new and indigenous frameworks of policing corruption in the public sector. I am grateful to him and the Centre for entrusting me with this assignment. I hope my perspective will enrich the work of the Centre.

I am also indebted to the numerous persons and agencies that took the risk of entertaining my views on security through the platforms they availed me. I express my gratitude to the Security and Strategic Studies programme of the Institute of Governance and Development Studies, Nasarawa State University, Keffi, where I research and teach security courses to MSc and PhD students from all walks of life.





List of Acronyms



All Progressives Congress	(APC)
Directorate of Military Intelligence	(DMI)
Economic and Financial Crimes Commission	(EFCC)
Four Fundamental Questions	(4FQs)
History, Experience and Reality	(HER)
Independent Corrupt Practices Commission	(ICPC)
Military, Intelligence and Law Enforcement	(MILE)
National Security Strategy	(NSS)
National Security Summit Report	(NSSR)
Niger Delta Development Commission	(NDDC)
North Atlantic Free Trade Agreement	(NAFTA)
Office of the National Security Adviser	(ONSA)
Peoples' Democratic Party	(PDP)
Studying, Thinking, Observing and Comparing	(STOC)
Trans-Pacific Trade Partnership	(TPP)
Transparency International	(TI)
Triangle of "Security" for Corruption	(ts4c)

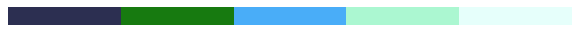


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Executive Summary

Since change is the only permanent thing in life, it is important for human beings to invent and reinvent themselves, in response to the changing times. Therefore, the need to reconstruct old ideas and institutions or to construct new ideas and institutions should be the second nature of human beings the world over, including Nigerians.

In the last twenty-three years, there has been a seismic shift in Nigeria's system of governance. The development should cause the reconstruction of existing, or construction of new ideas and institutions. This will ensure governance, which the World Bank defines as the effective and efficient utilisation of human and material resources for the benefit of Nigerians in harmony with framework of civil rule and governance. Such governance should target the development perspective that eliminates or reduces poverty, unemployment and inequality in the short, medium and long terms. However, the invention or reinvention of ideas and institutions has not been the tradition of Nigeria's governments of the last twenty-three years. One instance of this is in the area of security on the one hand and anti-corruption on other hand. The conventional ways of looking at security and anti-corruption must change if Nigerians are to have the security they need to develop anti-corruption resilience.

Much of the mindset of thinking, writing and talking about “security” and “anti-corruption” has been from the perspective of law and order. Specifically, most of the commentaries, analyses, conferences, symposia, seminars and expert interventions are law and order oriented. They are about strengthening or devising new ways for weaponizing law and order to engender “anti-corruption.” They have never been about understanding and domesticating “security” and “anti-corruption” in the light of changing realities or advocating complete paradigm shift in the conception of security in such a way as to trigger anti-corruption disposition in persons and institutions. Only a few have ventured to interrogate the existing “security” and “anti-corruption” model in civil rule and governance framework.

Such mindset is oblivious of two important issues that would facilitate the need for inside-out and outside-in combing of “security” and “anti-corruption”. The first is the change of framework from military rule to civil rule. The second is the class of persons and institutions involved in the breeding of “insecurity” and “corruption” that necessitated the need for “security” and “anti-corruption”. These classes of persons and institutions are the

¹ World Bank, *Sub Saharan Africa: From Crisis to Sustainable Growth*, Washington DC: The World Bank, 1989.

² On Dudley Seers' perspective on development, see Dauda Impalure & Forogn Aivin Dore, “Employing the Dudley Seer Theory of Development on the Nigeria Economy Aaron” (2020) 17:5 *International Journal of Research and Review* 81.

privileged few at the helm of affairs in the public sectors, that is, the executive and the legislative branches of government.

The law and order-focused security approach to anti-corruption, which centres on the works of the executive agencies, has never worked and may never work. It is time to change the paradigm to full-options-security-is-wellbeing approach, to an anti-corruption approach centred on governance or the effective and efficient utilisation of human and material resources for the benefit of Nigerians. Such approach would enable persons and agencies to function in a way that would trigger anti-corruption behaviour out of them.

However, it is believed that to continue to persist in the military rule framework of “security” and “anti-corruption” is to continue to court failure and enable fresh harvest of “insecurity” and “corruption.” I argue that the status of security will not improve unless the current narrative of security being solely the name and work of military, intelligence and law enforcement agencies is altered. Nigeria's Civil Rule and Governance framework has not built security in its own image to be able to determine what constitutes corruption and ipso facto what should constitute anti-corruption. Therefore, anti-corruption is currently agencies and Triangle-centred, with most Nigerians outside its radar of coverage. It is the case of a few persons and institutions having the yam and the knife. It explains the reason anti-corruption is not working. There is the need for security paradigm shift in order to vaccinate Nigerians with the wellbeing that civil rule and governance type is capable of creating and unleashing in the short, medium and long terms. These are the enabling environments that will immune Nigerians against corruption and infuse anti-corruption agencies (ACAs) with the capacity to fight and contain corruption.

The political elite drawn from the legislative and executive arms are leading members of the Triangle. More specifically, other members of the Triangle are to be found in the top administrative and executive classes in ministries, departments and agencies (MDAs), including high ranking leadership from the military, intelligence and law enforcement (MILE) sectors. These are the few persons with the requisite opportunity to plunder public assets (for example, through embezzlement) or to use their official position to amass wealth (for example, through bribery) to the detriment of the country. Significantly, the anti-corruption agencies comprise members of the law enforcement wings of MILE saddled with policing the fight against corruption. Thus, the “security and anti-corruption” perspective only covers those with the entrusted powers and access to public funds.

³ Wellbeing is a philosophical construct. It embraces the etymologies of security or securus/securitas/secure (“free from care”, “something which secure” or “condition of being secure” and “feeling no apprehension”). See Onoja, *Methodological Issues*, *ibid*; and Adayi Onoja, *Security: A Policy Note for Nigeria* (Jos: Monograph 5, 2020).

Most Nigerians' contribution to fostering the enabling environment for the few persons to steal public funds in their care is indirect. This is because the few persons in the Triangle deliberately refuse to effectively and efficiently husband the commonwealth of Nigerians in a way that would ensure the greatest happiness of the greatest number of Nigerians. Consequently, the material conditions of Nigerians are so deplorable that they are intermittently locked in a battle of survival. The resulting crisis and conflict provide the few persons in the Triangle with the raw material to unleash their fund-seeking and fund-guzzling “security” on Nigerians. Out of the funds allocated for this “security”, substantial amount usually goes into their pockets. This is the fallacy of the carefully orchestrated “security” and “anti-corruption” in Nigeria.

Therefore, there are two perspectives each to security and anti-corruption. The first and conventional perspective sees security as the work of the military, intelligence and law enforcement (MILE) agencies. This knowledge of security was built under military rule and carried into civil rule, which began in 1999. The second perspective looks at security within civil rule and governance frameworks. Civil rule control the sub-systems and the system. Governance is the management of human and material resources for the benefit of everyone.

In connection with anti-corruption, the first perspective is the role of the executive agencies fighting to combat corruption. This is similar to security that is the work of the executive agencies of the military, intelligence and law enforcement. The second view of anti-corruption can and should be about Nigerians' capacity to resist corruption in the first place and, secondly, about the agencies' ability to fight to combat manifestations of corruption among Nigerians. The first (Nigerians' capacity to resist corruption) enables the second (the anti-corruption agencies ability to combat corruption). Therefore, there are two anti-corruption perspectives that are associated with the two security perspectives.

The first and the trending anti-corruption perspective derived from the military rule security type. In this perspective, pursuant to the CFRN, the main role of the military, intelligence and law enforcement agencies is security. The role of the military, comprising the army, navy and air force, is to defend Nigeria on land, sea and air. The of intelligence agencies, which consist of domestic, external and military types, includes gathering information and processing same into intelligence for operation and for policy in their specialised spheres of operations. The role of law enforcement agencies, which comprises the police, civil defence, etc., is to, inter alia, enforce the law, and ensure public order and safety of persons and property. Anti-corruption, from the perspectives of the intelligence and law enforcement agencies, targets and combats the manifestations of

⁴ Onoja, *Methodological Issues*, ibid.

corruption however defined by the established laws and the political authorities. Their primary task is to treat a conduct or crime from the offender-centred oriented approach (by apprehending, investigating, prosecuting the offenders and getting them convicted and sentenced). With a few exceptions, little is said about the victim-oriented approach that should consider the harm to the victims and how they ought to be adequately restored to their original position before the conduct.

The second anti-corruption perspective should come from the undefined, uncharted and ungoverned security that should derive from civil rule and governance frameworks. Security, under these frameworks, should be the wellbeing of the citizens in all ramifications. This is because the mandate of civil rule arising from governance or the effective and efficient utilisation of human and material resources for the benefit of Nigerians includes securing the welfare of citizens. This security type should target the root causes of corruption in all its forms. This includes the consequences of the lack of this security or wellbeing type which produces corruption that triggers the anti-corruption work of the MILE agencies.

Currently, in the absence of civil rule perspective of security, anti-corruption takes on the security tradition created by military rule and bequeathed to civil rule which focuses on enforcement measures such as detection, arrest and conviction. The military rule type security perspective that is operational under civil rule cannot deal with corruption among Nigerians and the agencies using its anti-corruption measures. The MILE security type is corrupt and brews corruption in all of its forms.

Arguing for the construction of security or wellbeing in all of its forms is to make security conform to civil rule and governance frameworks. This security type targets the wellbeing of Nigerians and the agencies. This security vaccinates and thus immunizes Nigerians and the agencies against corruption. This is because anti-corruption should not be about the agencies only. If anti-corruption is about the agencies, it is bound to fail. There are pieces of evidence that suggests that anti-corruption failed in the last four decades. Such failure has been demonstrably glaring in the last seven years of the present administration's so-called "relentless war against corruption."

There is the need to define, chart and govern security under civil rule system to create the new security that will provide all-encompassing wellbeing to Nigerians. Such security should be the vision and mission of legislations in Nigeria. This is the pathway to connecting security and anti-corruption that prioritise Nigerians and the agencies.



A march against corruption in Ibadan (PMNewsNigeria)

1.1 Introduction

This paper discusses security and its potential to control corruption in Nigeria. The paper's central aim is to construct security in its etymological origins within the context of Nigeria's history, experience and reality (HER) for the purpose of civil rule and governance, and to use security as the vision and mission of all policies and programmes of ministries, departments and agencies (MDAs) in all tiers of government. Specifically, this paper seeks to:

- (a) Conceptualize and historicize security;
- (b) Identify and situate security in theories most likely to appeal to military rule and civil rule;
- (c) Identify civil rule and governance frameworks for constructing security and the role of the legislature therein;
- (d) Trace the relationship between security and corruption, and between security and anti-corruption in Nigeria's civil rule governance; and
- (e) Design a security model for possibly eliminating or reducing corruption in governance.

This work utilised the qualitative method of analysis, which entailed the use of a variety of materials on the subject matter and the deployment of critical and analytical skills to evaluate the facts and information derived from such materials.

1.2 Trajectory of Security in Military Rule and Civil Rule

Most Nigerians have an idea of "security" under military rule. The foundation of such security is the power vested in the:

- (a) Army, navy and air force to defend the country on land, sea and air respectively;
- (b) Department of State Service, National Intelligence Agency and Defence Intelligence Agency to gather intelligence within and outside Nigeria;
- (c) The Police, Civil Defence, etc, to enforce the law, maintain public order and to protect lives and property.

There is a pervasive view that begins the discussion of "security" with "insecurity." Such perspective represents the way the military (which ruled Nigeria from 1966 to 1979 and from 1983 to 1999) conveyed the meaning of the term in the course of their adventure into the political governance of the country. It is quite illogical. Prior to tackling insecurity, it is important to first of all understand the meaning and scope of security. Ordinarily, security is the vision and mission of everything about governance or the effective and efficient utilisation of human and material resources for the benefit or welfare of the people. But this is not so under military dispensation where security is used to generally refer to the law enforcement portfolios of military, intelligence and law enforcement (MILE) agencies. Such worldview

⁵ See s. 217 of the Constitution of the Federal Republic of Nigeria (CFRN) 1999.

has generated crises and conflicts that made the country insecure. In such instances, “security” produced “insecurity.”

The military is charged with the responsibility of defending Nigerian territory on land, air and sea against external attacks. The intelligence agencies are responsible for collecting and processing information of external, internal and military nature in support of operations or policies. Lastly, law enforcement agencies safeguard persons and property and maintain public order within the different arms of law enforcement. However, all these are not “security.” Incidentally, the corpus of existing laws (including the Constitution) establishing these agencies does not call the mandate of these agencies security but simply defence, intelligence and law enforcement.

The association of the military, intelligence and law enforcement agencies with security emanated from two sources. The first source is the international practice of developed countries (narrated through journalistic convenience) using security to describe, amongst others, their enterprise but, above all else, the condition that threatened these enterprises and the instrument required to ameliorate the threats. In this sense, the pursuit of their interest through the instrumentality of military, intelligence and law enforcement agencies is security or national security. The Cold War (and its associated proxy wars) between the defunct Union of Soviet Socialist Republic (USSR) and the US confined security to the work of military, intelligence and law enforcement agencies. Notably, behind the façade of the purpose of the Cold War being the promotion of the economic systems of socialism and capitalism worldwide between the two superpowers was the motive of security.

The second source was the pre-eminence and predominance of military rule in Nigeria's governance system. Military rule was particularly common during the Cold War. The Nigerian military was not unaware of developments associated with the Cold War including the proliferation of military conflicts as the face of the Cold War contestation between the defunct USSR and the US. For Nigeria's military, as an institution and as the governing class, security or national security, in domestic affairs, was all about military, intelligence and law enforcement. Unfortunately, Nigerian journalists in their reportage uncritically adopted such military characterization to describe the name and work of security agencies. This is the genre of “security” that has endured in the civilian dispensation.

The military institution has no mandate to govern. Since they were in violation of the Constitution by taking over power, the Constitution was the first casualty of their illegal rule. In usurping political power through coups and establishing itself as the government, the military could not abandon its primary security mandate. The military, as an agency of the executive arm of government, is tasked with protecting and defending the state against external attacks and internal subversion. Such mandate is geared towards complementing the internal duty of the Nigerian Police to enforce the law. But in overthrowing civil rule or other military governments, coupists usually justified their actions as rescuing

⁶ National Security Agencies Act, Cap N74, Laws of the Federation of Nigeria (LFN), 2004.

⁷ See s. 4 of the Police Act, Cap P19, LFN, 2004; and the Nigeria Security and Civil Defence Corps Act 2003.

the ship of state from collapse or preventing disorder and chaos in the polity. Governance for the military was primarily about creating and enforcing law and order in the polity. This was the crux of security. Whatever else that resulted from their involvement in and activity as government was incidental or secondary. Thus, military rule was about the individuals or cliques, their purported nationalism and their so-called mission to stabilise the state. There were two types of coups in Nigeria's history. The first type was directed against civil rule. There were two of such coups. The maiden coup of 1966 toppled the First Republic government of Sir Abubakar Tafawa Balewa while the second coup of 1983 overthrew the Second Republic government of Alhaji Shehu Shagari. The second type of coups was directed at other military governments by their own kinds. The concept of "security" began to become a huge issue after the coup that toppled the Second Republic government in 1983. It is worth recalling that the mid-1980s onward was for most Nigerians economically, politically and socially challenging owing to international and local developments. It was not until the administrations of Generals Ibrahim Babangida and Sani Abacha that "security" became a household word that was increasingly used as name and work description of the military, intelligence and law enforcement institutions.

The adoption and implementation of Structural Adjustment Programme (SAP) removed the lid off the can of bottled problems and created new ones between and among Nigerians. The annulment of the June 12 presidential election in 1993 compounded an already desperate situation. The development left myriads of social and political implications for the polity. Nigeria's corporate existence was shaken and threatened to its foundation like no other time except the pre-civil war era. The consequences of these developments tasked the expertise of military, intelligence and law enforcement (MILE) agencies. These agencies – being not trained in the governance or the effective and efficient utilisation of human and material resources for the benefit of most Nigerians – found themselves turning entirely towards their professional roles in order to mitigate the self-inflicted crises the military programmes generated. The military administrations chose to describe the conditions as "security" challenges or "insecurity" for which "security" was the remedy. The military, as professional and as government, deployed its professional training to address the effects of its governance or governmental actions or inactions. It was also the case that the military as an institution did not escape the consequences of its action as the government of the day. The factionalisation of the military became evident under General Ibrahim Babangida. When he stepped aside and left the Interim National Government (ING) of Chief Ernest Shonekan in charge, General Sani Abacha, the then Secretary of Defence and head of one of the factions, removed Chief Shonekan and became the head of state. It was under his regime that the Directorate of Military Intelligence (DMI) launched what it called "security" sweeps of the services in search of enemies of the state, or rather of the regime. "Security" trumped other affairs of the administration in the government's bid to consolidate its hold on power amidst credible and make-belief threats. This was the climate that engraved "security" into the consciousness of most Nigerians as the name and work of the military, intelligence and law enforcement agencies.

⁸ See s. 217(2)(c) of the Constitution of the Federal Republic of Nigeria (CFRN) 1999

The military regime of General Abubakar – which succeeded General Abacha – drafted the vision and mission of such “security” into the Constitution of the Federal Republic of Nigeria (CFRN) 1999. Notwithstanding some references to “security” in the CFRN 1999, there is no definition of security in any document in Nigeria, including the Constitution itself or other laws, rules or regulations. Similarly, some documents from the Office of the National Security Adviser (ONSA) and the House of Representatives contain no legal definition of “security.” Specifically, National Security Agencies Act 2004 – an Act that established the Defence Intelligence Agency, National Intelligence Agency and State Security Service – is silent on the definition of the term. All the above-mentioned documents merely allude to what “security” is in the practice of “security.” The practice in question is the name and act of military, intelligence and law enforcement (MILE) agencies. Thus, such name and work of the executive agencies of the military (Nigerian Army, Nigerian Air force and Nigerian Navy), the intelligence community (National Intelligence Agency, Department of State Services and Defence Intelligence Agency), and law enforcement (Nigeria Police, Civil Defence, etc) are emphasized to the detriment of the definition or meaning of “security.”

Certainly, such security did not reflect the peculiarity of civil rule and governance frameworks which, amongst other things, include the welfare of the people. Undoubtedly too, people-oriented security in a civil dispensation cannot be the same as that in a military dispensation, especially where the security agencies in the latter have usurped political power. Although the Constitution strategically positioned such “security” as the dominant affairs of civil rule, its vision and mission were aligned to the name and work of the arms-bearing agencies of the executive. Section 14(2)(b) of Chapter II of the 1999 Constitution, which provides that “security...shall be the primary purpose of government,” became the *raison d’etre* of governance for the civil rule system. Additionally, section 5(5) refers to “national security.” However, all of the not fewer than fifteen references to security or national security in the 1999 Constitution emphasize only the name and work of the security agencies.

If, when the military ruled the country, the security agencies defined security within their job description, how should the elected political class in both the legislative and executive branches of government define the term? Should the elected political class not do so within their constitutional mandate and job specification of caring for the welfare of the people? Should the political class decline to follow the security type advocated by Anthony Burke which is that security should not be seen as one good among many but a universal good that guarantees all others? The last twenty-three (but in particular fifteen) years of civil rule have demonstrated the governance of security derived from military rule. The National Assembly and the executives choose to retain the perspective of “security” they

⁹ E.g., see National Security Strategy 2014 and the revised edition of 2019, National Counterterrorism Strategy (NACTEST) 2016 and National Cyber Security Policy and Strategy 2021. These are some of the documents generated by the Office of the National Security Adviser (ONSA), the *de facto* manager of “security” and “national security” since 1999. What is suspicious in the creation of these documents is the timing – civil rule period. The ONSA never saw the need for these documents when the military was in power.

¹⁰ See House of Representatives, “National Security Summit Report: Full Report of the Special Summit on National Security” (Abuja, 2021); and Adoyi Onoja, *Security: The House and their National Security Summit Report* (Monograph 8, Jos, 2022).

¹¹ Cap N74, Laws of the Federation of Nigeria (LFN) 2004.

inherited from the military. They shy away from deconstructing, reconstructing or constructing their own security model that is harmonious with civil rule framework and governance mandate. Consequently, the state perpetually reacts to citizens, events and circumstances through its MILE agencies. Unfortunately, such reaction tackles the effects, rather than the causes, of “insecurity” and the need for “security.” Therefore, the so-called battle against crimes such as corruption, banditry, kidnapping, terrorism, insurgency, etc, has been handed as matters of “insecurity” without success. Arguably, under the pretext of section 14(2)(b) of the Constitution, the government surrendered its powers to diagnose what is security to MILE agencies. Ironically, the government persists in embracing such security paradigm despite its repeated failure to care of the welfare needs of citizens.

The military could be excused for placing “insecurity” before “security” because it is in its nature to do so. But in a civil dispensation, people-oriented “security” must precede “insecurity” because civil rule is rooted in constitutional or representative democracy. But in the last twenty-three years of civil rule, it is the military construct of placing insecurity before security that has been in vogue because the elected officials failed to redesign the security architecture that is suitable for democracy. In other words, since 1999, they have been too docile, uncritical and selfish in discharging their duties that they failed to realise the necessity to re-jig the security apparatus of the country. But because there is no vacuum in nature, civilian dispensation consciously or unconsciously inherited the baggage of military-inspired security which, among other things, delimits security by reference to the work of military, intelligence and law enforcement (MILE) agencies.

Consequently, such inherited security paradigm has failed and continues to fail. Nigeria has become a Hobbesian state of nature where the propensity of governmental actors and non-state actors to commit crimes against the state and other entities are unlimited and uncontrollable notwithstanding the impressive array of security agents deployed to coercively restore order. It is worth noting that huge resources are mobilized to fund the operations of these military, intelligence and law enforcement agencies. But the truth of the matter is that security has become a business venture for making money out of the misfortune of Nigerians, as the funding of the battle against terrorism demonstrates. For example, the expenses that the country has incurred to control the menace of banditry including ransom payments to kidnappers are mind-boggling. Additionally, the political class (comprising the legislature, executives and MILE agencies) lack the political will to efficiently tackle these crimes because they have vested interests – continuous projection of military-inspired security paradigm and pecuniary motives – in the persistence of the crimes, conflicts and crises. They are averse to taking a decisive action against the insecurity in the land because doing so would not only entail the dismantling of the current security architecture; it would be suicidal for them to do so.

¹² See Adoyi Onoja, *The 1999 Constitution and the Fifteen (15) References to “Security”* (Jos: Monograph 7, 2021).

¹³ Anthony Burke, “Aporias of Security” (Jan-March 2002) 27:1 *Alternatives: Global, Local, Political* 1, https://www.jstor.org/stable/pdf/40645035.pdf?refreqid=excelsior%3Ae77a7dde9144d560f70fcd72f8c226f3&ab_segments=&origin=&initiator=&acceptTC=1 (accessed 12 May 2023).

Based on the foregoing, any intervention – including those by the legislature, executive, military, MILE agencies, the academia, non-governmental organisations, individuals, etc – that does not think outside the box of the prevailing placement of “insecurity” before “security” will fail. Such intervention should begin with the question of the “what” and not the “how” of security. In finding the appropriate meaning of security, it is important to do so within the context of the country's contemporary governance model – representative democracy. In such model, security ought to be designed in a way that promotes the greatest happiness of the greatest number of Nigerians. But the elected officials abandoned their responsibilities and instead recycled the security paradigm that the military left behind. Such inheritance is unfit for a constitutional order.

Therefore, there is the urgent need for the elected officials to deconstruct, reconstruct or construct security in the image of civilian or constitutional rule. They need to be sensitized to the fact that military-based security can be analogized to a “tree,” focusing only on restoring law and order in the polity whereas the security in civil dispensation amounts to a “forest” that is devoted to the welfare of the entirety of the society. The elected officials need to unchain security from military grip by designing the philosophy, nature, meaning and purpose of security in a way that it adds value to the lives and livelihoods of the people. In other words, they need to replace military construct with a democratic one from the perspectives of etymology, ontology and philosophy.

There have been instances to show that the government is less concerned about the *what*, as opposed to the *why*, of the security in place. For example, in 2021 when the House of Representatives intervened to resolve the failed and failing “security” in the country, it endorsed such *how* strategy when, in calling for memoranda, it restricted the submissions of Nigerians to “solutions only.” Arguably, the political class (comprising the legislators, executives and their professional MILE advisers) appears to have colluded with the security agencies to wage “security” war against the rest of Nigerians for their own selfish political and pecuniary advantages. It is believed that the political class has taken such lukewarm or placatory stance on security because of the terrible experience it had had in the hands of the military and in order to dissuade the latter from plotting coups or tenaciously clinging to power. However, it fails to appreciate the fact that, against the background of section 1(3) of the 1999 Constitution, dismantling the current security construct of military vestiges would successfully repel military's opportunistic adventurism into politics.

Therefore, in civil dispensation, security will continue to fail until the legislators play their role of articulating the philosophy, nature, meaning and purpose of security within the context of civil rule and governance frameworks. Obviously, civil rule has had no input on the narrative of security with which it has been governing the country since 1999. It should be noted that the purpose for enthroning civil rule was Nigerians' dissatisfaction with the “security” model of military rule. Nigerians believed that civil rule security model would hold more in stock for them than that of the military.

¹⁴ It is believed that the government of President Buhari spent up to N10 trillion naira on security yet Nigerians are still troubled by insecurity.

1.3 Conceptualising and Historicising Security

Security is a concept. As such, it has a history. Therefore, it is important to conceptualise and historicise it. As a concept, security passed through dozens of conceptualisations within the context of specific culture, history, geography and politics. Consequently, there is a history of security peculiar to different cultures and civilizations. The word 'security' is a 15th century European creation. Until then, there was no word called security. The Latin etymology of security is *securus* and *securitas*. The English etymology of security is *secure*. *Securus* is "free from care," *securitas* is "condition of being free" and *secure* is "feeling no apprehension." These aspirational terms aptly describe the condition of European societies of the period. Thomas Hobbes captured the condition of Europe when he described life and living as having "no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short." Then there was no state inside European communities. There were castle towns and walls where communities clustered around strong individuals for their safety. As from the 1580s, security meant "something which secures" and from 1941, it was associated with the "safety of a state, person, etc." Security's association was not limited to these as there were others. The emergence of the state in the different European communities within the context of social contract triggered the emergence of the 1648 Westphalian system, which became the basis of modern state system.

The state-centric, internationally-focused perspective of security coincided with the inroad of the United States of America (*hereinafter* the US) into world affairs. The emergence of security as a word was greeted by two important developments in the period. The first was the founding of the US. The second marked the beginning and development of International Relations as a field of study in European universities. The development that engulfed European countries with the creation of the Westphalian state system transformed the import of security for them. Thus, new epistemology, ontology and philosophy emerged to govern security for Europeans particularly those with imperial and colonial ambitions. This was informed by their evolving and changing history, geography and politics as it concerned relations with each other and their enterprises in different parts of the world.

Europe had taken on the project of discovering and colonising the world. The vision governing this mission was not altruistic. It was driven by the needs of Europe and Europeans. Of these, the beginning of the Industrial Revolution and the accompanying quest for raw materials, markets and fresh investment destination defined the concept of security afresh. The concept of security was writ large in

¹⁵ There is no case that demonstrates this more than the one involving National Security Adviser (NSA) to former President Jonathan, Sambo Dasuki. As the NSA, he was the custodian of humongous amount of money meant to purchase weapons for the military in the fight against the terrorist group Boko Haram. However, the money was allegedly diverted to other purposes both public and private.

¹⁶ Dennis Ezezi, "Nigeria pays \$11 million as ransom to kidnappers in four years" (28 May 2020). <https://guardian.ng/news/nigeria-pays-11-million-as-ransom-to-kidnappers-in-four-years/> (accessed 14 May 2023).

¹⁷ See Ruut Veenhoven, "Greater Happiness for a Greater Number: Is that Possible and Desirable?" (2010) *J Happiness Stud* 605-606.

their individual and collective needs. The epistemology, ontology and philosophy of security reflected European history, experience and reality. Security was conceived to primarily serve their interest. There was neither a universal perspective nor model of security for other cultures to copy other than that which was created by individual countries and cultures to serve their needs.

If security seeks to fortify Europe in its quest for living spaces (endowed with resources) and safe places beyond Europe to anywhere and everywhere their interests lie, the entry of the US into world reckoning injected the country's own narrative of security into the evolving perspectives of security. North America was founded on the ideal and idea encapsulated in security - "free from care", "condition of being free", "feeling no apprehension" and "something that secure." The country was founded by a conglomerate of peoples and cultures from different parts of the world. They were all motivated and driven by the search for security. Indeed, the search for security has since remained not only the founding ethos of the country but continues to inform the emigration of persons all over the world into the country.

The foundation stone for the US was first laid by persons of European descent, especially the English from England. Such adventure did not take account of the aborigines who were living there prior to the arrival of the settlers. They were in search of security – land, resources, markets and freedom - in all of its forms and were driven by the import of "free from care", "something which secure" or "condition of being secure" and "feeling no apprehension" when they left Europe and other parts of the world. The Pioneers planted the town of Virginia as the first settlement in the US in 1607; the first thirteen colonies that constituted the US were founded at different times by different European groups representing cultures and ideals. They proceeded to colonise other parts of the land in their effort to increase their security in the country. Such colonialist venture barred other potential European colonisers from having any foothold in the area. These movements represented the phases in the unfolding quest for security by the inhabitants of the US.

In spite all the attempts by the US to stay out of the politics and internecine conflicts of Europe, Europeans found reasons to drag the US into their conflicts, including the First World War and the Second World War. America's participation in the Second World War signaled the beginning of the internationalisation of its quest for security. With America's triumph in the Wars and the dominant position it created for itself following the collapse of British and European influence, the possibility of controlling the resources of the world in order to maintain and continuously advance its strength dawned on it. The US required the resources – economic, strategic and markets – necessary to accomplish this and in the prevailing competition with other powers, it took the building of the full paraphernalia of war to navigate the hostile international environment. In 1947, the concept of national security was born when the US Congress passed the National Security Act and the President signed it into law.

National security of the US projected two faces to the world. The first and, arguably, the hidden face of national security is the *raison d'etre* for the Act – the US' need to continuously access economic

¹⁸ The section expressly prohibits military rule or rulership derived from a means other than democracy.

and strategic resources all over the world in order to maintain prosperity at home and its standing as the leading global power. The second face of national security is the logistics made up of the military, intelligence and law enforcement (MILE). In fact, logistics is the content of the National Security Act. MILE enables the state, the agent and agency of national security on the anarchic international environment to advance, access and protect these economic and strategic resources anywhere and everywhere in the world.

For Europe and the US, security or national security is double-faced in the conduct of their bilateral and multilateral affairs. The first face of security is the creation of exclusive economic and strategic resources zones to serve their domestic needs anywhere and everywhere in the world. The second face comes into being to aid their quest for the first and only security type that matters. Incidentally, the international stage where such activity is taking place lacks any form of government, thus giving the ample opportunity to the adventurers to rely on and deploy the power and resources of their military, intelligence and law enforcement agencies to navigate, search for, defend and bring home these economic and strategic resources.

The state-centric conception of security was not the most important consideration of all those in search of security beginning with the Pioneers. The state assumed this role only because it became the agent and referent point for the routine lust for land, markets or security in far-flung parts of the world. Although the state's conception of security did not originate from the US, it was the development in the US that consolidated and internationalised this perspective of security. America and Americans succeeded in exploiting the resources in the US and were in search of new lands and markets or security. These took them into what would become known as their backyard – South and Central America - where they rooted out other European powers in order to create exclusive economic and strategic zones to serve America's corporate capitalist interests. It was the quest for such security or economic resources that enabled America to participate reluctantly in the First World War and, rather decisively, in the Second World War after the Pearl Harbour attacks in 1941. This was the point that the concern for security of the state – the agent of national interest on the international arena – dominated the evolving discipline of security studies from International Relations and the transformation of strategic studies into security studies.

The study of security has always been a central concern in the academic discipline of International Relations. The two world wars prompted this and, with half-century of the Cold War, the issue of security dominated the intellectual preoccupations of students of International Relations. As

¹⁹ See “security (n.),” <https://www.etymonline.com/word/security> (accessed 12 May 2023).

²⁰ Thomas Hobbes, *Leviathan* (1651) pt. 1, ch. 13.

²¹ Security (n.), supra note 19.

²² See Jason Neidleman, “The Social Contract Theory in a Global Context” (9 October 2012), <https://www.e-ir.info/2012/10/09/the-social-contract-theory-in-a-global-context/> (accessed 5 May 2023); and Kevin J. Browne & Louise Rusling, “Introduction to the Social Contract Theory,” <https://www2.econ.iastate.edu/classes/econ362/hallam/Readings/SocialContractHelium.pdf> (accessed 2 May 2023).

Booth noted, the subject of security studies as it developed in its orthodox form during the Cold War was constructed in the image of political realism, privileging the state, power, survival, national interest, international affairs and the military as an instrument of policy over every other thing else. Political realism was at the centre of politics among nations, and security and security studies were embedded therein.

The evolution of the Westphalia state system in 1648 and its adoption as a mode of organisation among countries made the state and its survival central in any discourse of national and international politics. The growing disagreement among nations in the pursuit of their national interest in different parts of the world heightened the logic of anarchy, and thus increased the need to safeguard the state as the rallying point for security. It was at this point that security became a double-edged sword serving two related purposes: security constitutes the resources that countries go after in different parts of the world in order to secure themselves; it is also the means – military, intelligence and law enforcement – that enables states to search for and attain resources anywhere and everywhere in the world.

In security's epistemology (the theory of knowledge or how we know what we know), "security" in Nigeria began its journey into the general consciousness from the interaction persons and communities had with the meaning attached to it by the work of military, intelligence and law enforcement agencies. Such meaning was adopted by the military when it ruled the country. In security's ontology, we should be thinking of the nature of being; domain that shows the properties of a concept and the relations between them; phenomena that make up the social world and in this case the social world we seek to secure in Nigeria under civil rule. There are two types of social worlds from which security should be viewed in Nigeria – the pre-democracy and post-democracy worlds. The pre-democracy world was that of the military where security was modeled after their professional mandate. The post-democracy world of civil rule is yet to add its voice to the meaning and scope of security. Basically, there is no universal philosophy of security. But what appears as universal ontology and epistemology and security represents country-culture constructs globalised through the exercise of power or control. Therefore, there is the history, experience and reality (HER) that governs such universal philosophy of security which is not applicable to every culture and community in the world. Within the context of civil rule governance, it is unclear where the Nigerian variant of "security" belongs in terms of etymology, epistemology, ontology and philosophy.

1.4 Securitization: Realism, Political Realism, Social Constructivism and Critical Theory

Securitization theory states that security is an act of speech, implying that when one labels a matter as a security issue, it becomes so. It presupposes that "political issues are constituted as extreme security issues to be dealt with urgently when they have been labelled as 'dangerous', 'menacing', 'threatening', 'alarming' and so on by a 'securitising actor' who has the social and institutional power to move the

²³ See William Appleman Williams, *Empire as a Way of Life: An Essay on the Causes and Character of America's Present Predicament Along with a Few Thoughts about an Alternative* (New York: Oxford University Press, 1980), p. 62; and Oliver Stone & Peter Kuznick, *The Untold History of the United States* (London: Penguin, 2019).

issue 'beyond politics.'" Within this context, it is important to consider the four fundamental questions (4FQs) on security as developed by Williams, namely, what is security, whose security, what is security issue and how can security be achieved? I find the framework provided by the questions useful in my engagement with "security" in Nigeria. It is appropriate to consider how security interfaces with the theories of realism, political realism, social constructivism and critical theory.

In the field of international relations, realism or political realism is a school of thought that emphasises the competitive and conflictual side of international relations. Realists believe that states as the dominant actors on the international scene are sensitive to their own security and therefore vigorously pursue their national interests and struggle for power. On the other hand, the theory of social constructivism asserts that all meaning is socially created. As Damaschin puts it "All our maps are differing maps of the same world. Each of us creates our own worlds from our perceptions of the actual world." Social constructivism emerged in the twilight years of the Cold War and was applied to varying fields including security studies. Unlike realists whose theory of world politics is a theory of security and power politics, constructivists' assumption is that security is a social construction. As Fierke observed, "to construct something is an act which brings into being a subject or object that otherwise would not exist." But this does not mean that there is no such a thing as security or that security is devoid of meaning. For instance, security may be understood as the preservation of a group's core values. Security is a context-culture-specific social construction. Constructivists work from the premise that society would do better to focus on how security is given meaning within these contexts and analyses.

Constructivism puts into context the actions, beliefs and interests of actors and commits them to understand that the world they inhabit has been created by and impacts on them. In exploring how security is given meaning, constructivists have emphasised that security is a site of negotiation between political leaders and domestic audiences and contestation between different actors elaborating different visions of 'our' values and how 'we' should act. Thus, identities, norms, negotiation, contestation, agents, structure and change are core elements of the theory.

Critical theory is one oriented toward critiquing and changing society as a whole. It aims to dig beneath the surface of social life and uncover the assumptions that keep human beings from a full and true understanding of how the world works. Relatedly, Critical Security theory is a critique of security conceived within the theory of political realism. It involves rethinking the common sense of orthodoxy from the bottom up while exposing the extent to which political realism is part of the problem in world politics rather than being the problem-solver. While political realism theory of security accepts the situation it inherits, seeks to make it work and in so doing contributes to replicating what exists, critical security theory keeps critical distance and calls into question prevailing social and power relationships and institutions. The theory believes that political realism is an ideology and ideologies are human inventions. Like all human inventions, the set of attitudes and behaviours constituted by political realism

²⁴ Ken Booth (ed.), *Critical Security Studies and World Politics* (London: Lynne Rienner, 2005), p. 2.

²⁵ See Adoyi Onoja, "Regime Type and the Established Notion of Security in Nigeria: Towards a Human Centred Security for Nigerians" in Olayemi Akinwumi, et al (ed), *Nigeria at 50: The Challenges of Nation Building* (Zaria: Historical Society of Nigeria, 2012), pp. 83-108.

can and should be unlearned in order to address the mess into which political realism's security has thrown the world. Critical security theory criticised political realism as unrealistic, misnomer, static, failing the test of practice, narrow, rigid, hostile to human interest and characterised by its unspoken assumptions regressive.

Critical security theory was built on security, community and emancipation. There is a symbiotic relationship among the triad. Emancipation is the theory and practice of inventing and reinventing humanity, with a view to freeing people, as individuals and collectivities, from contingent and structural oppression. It is the “pursuit of bread or material wellbeing, or freedom from nature and scarcity; the pursuit of the knowledge of truth, or freedom from ignorance, superstition and lies; and the pursuit of justice, or freedom from political tyranny and economic exploitation.” To do this requires rethinking security from the bottom up in two ways. The first is through investigating what security might mean in theory and practice from the perspectives of politics that do not start from the same political, methodological, philosophical and historically contextual perspectives as those associated with the ideology of political realism. The second is thinking about security from the perspective of those people without power, that is, those who have been traditionally silenced by the prevailing structures. The “contingent and structural oppression” of the people in a so-called democratic Nigeria is an offshoot of the practice of state-centric and military-centred political realism security theory. Emancipation is the bridge that connects Critical Security Studies with Constructionism because whereas emancipation derives from Critical Security Studies, both critical theorists' and constructivists' postulations share a commitment to emancipation.

1.5 Securitization: Realism, Political Realism, Social Constructivism and Critical Security Theory in Nigeria

It is important to interrogate the relevance and application of the above theories to the country's governance models. For obvious reasons, Nigeria does not have what it takes to actively participate in international politics. Therefore, its theatre of operation is overwhelmingly domestic. Ordinarily, Nigeria should not be influenced by these theories. However, it must be recognized that the country is a multiethnic state comprising no fewer than 300 distinct and disparate ethnic nationalities which are in constant struggle for different resources or security. Against the backdrop of such struggle, the country tends to manifest the character of an international system. To the extent that some of the tenets of political realism-driven security – state, survival, and military – explain developments in the country, they underscore the relationship among these nationalities and the importance of capturing the state in order to further the ambition of one group or a coalition of groups.

Since the resumption of civil administration, there has been a struggle or clash between securitization (as an offshoot of realism/political realism) and emancipation (as a derivative of social constructivism/critical theory) in the vision and mission of what security is or ought to be. This was necessitated civil administrators' attempt to navigate and survive the hostile environment that emerged

²⁶ McGlinchey, Walters and Scheinflug, *International Relations Theory* (2021), p. 93.

²⁷ Paul D. Williams (ed), *Security Studies: An Introduction* (London and New York: Routledge, 2008).

from post-military rule and their self-inflicted environment of poor governance or ineffective utilisation of human and material resources for the benefit of most Nigerians.

Securitisation works within the dominant realist tradition where power serves the interest of the few who use “security” as a veritable means for pursuing such interest. Security is the wave that takes politics beyond the established rules and frames issues as special kind of politics or above politics. Thus, securitisation is a more extreme version of politicisation where an issue is presented as an existential threat requiring emergency measures and justifying actions outside the normal bounds of political procedure. Notably, Abacha's national security adviser, Ismaila Gwarzo, invented or exaggerated threats to national security as a channel for obtaining Abacha's imprimatur for the release of funds for counter security measures. However, much of those funds formed part of what has been known in the field of assets recovery as Abacha loot. There has been the seemingly unconscious securitization of “security” in Nigeria since 2007 (as demonstrated by the purported provisioning of hardware and equipment for military, intelligence and law enforcement agencies) in an attempt to resolve the orchestrated internecine crises and conflicts in the polity to the detriment of the other issues of governance. Political realism theory of security to which the Nigerian military, intelligence and law enforcement agencies subscribe perpetuate the suffering of victims of the prevailing economic system because it leaves political, economic and social order where it is. Under the auspices of political realism, the few political elite (constituted by the executives and legislators, and military, intelligence and law enforcement agencies) have been using Nigeria's commonwealth to advance their wellbeing or welfare at the expense of the majority. Specifically, they use the pretext of providing “security” to constantly loot the commonwealth of the people for their own personal benefit. They do so by weaponizing “security” to sustain their tyranny and economic exploitation on the one hand, and to promote the ignorance, division, superstition and infidelity of the rest of Nigerians. Also, they construct and consolidate Nigerian political practice that fails to provide security (defined as economic opportunities) for most of their compatriots, focus on statism, strategising and stability while ignoring the human centredness of security.

The reality painted by political realism is not a given in the world and in Nigeria. As a constructivist, Wendt, opined, “anarchy is what states make of it...” Contrary to the argument of Waltz, Wendt disagrees with the inevitability of anarchy conditioning state interests and actions. As previously noted, the so-called nation-wide crises and conflicts that the power elite commit to resolve through the securitization of “security” was created or, at any rate, overlooked by them to justify this “security.” The self-centred approach of political realism triggered the concept of emancipation. Most Nigerians had hoped for the adoption of social constructivism or critical security theory that would lead to the emergence of the triad of security, community and emancipation. By virtue of the defence role the military plays as one of the enforcement arms of the state, it is reasonable for it to be inclined to realism. But as an institution, it ought not to be involved in politics and civil governance because such involvement is arbitrary, aberrational and unlawful. On the other hand, civil rule type should naturally embrace social constructivism or critical theory as a means of meeting the yearnings or aspirations of the

citizens, with a mixture of a bit of political realism. Prior to the enthronement of civil rule in 1999, the entire struggle of most Nigerians was framed as the search for their security or wellbeing. They felt insecure in all aspects of their lives and livelihoods under military rule. Therefore, they enlisted on the civil rule train with the confident hope that it would guarantee their lives and livelihoods. However, since 1999, securitization has been elevated over emancipation. In other words, with the elected officials disappointing the legitimate and reasonable expectations of Nigerians, the true perspective of security, that is, defence, intelligence and law enforcement-inclined “security” (which privileges political elite, and military, intelligence and law enforcement agencies over everybody else) has been in vogue for the benefit of the few but to the detriment of the rest of Nigerians. Nevertheless, there is the consistent and persistent retention of this “security” by the civil political class in the country.

Unfortunately, any attempt to make this “security” work at all cost does not touch on the fundamental issue of what was this “security” that failed. Again, Nigeria’s legislature and executive had, under the influence of military, intelligence and law enforcement agencies, always manifested the existence of only one solution or answer to the question of the “how” of this “security.” For example, the House of Representatives, supposedly in the position to diagnose the problem, limited the intervention of Nigerians to “solutions only” when it sought inputs from them in 2021. The legislators came out with the *National Security Summit Report (NSSR)* which endorsed the failed and failing strategy anchored on the “how” and, of course, the endless request for more allocation of money into the bottomless pit of “security” whose beneficiaries remain the legislature, executive and the elite of the military, intelligence and law enforcement agencies. Moreover, there is the attempt to legitimise security through the churning out of documents by the Office of the National Security Adviser (ONSA). Under military rule, the ONSA did not embark on such mission. The proliferation of documents began with the publication of the *National Security Strategy (NSS)* in 2014. Other documents followed, including the revised version of the *National Security Strategy (NSS)* 2019. The only change in the document was to reflect its association with All Progressives Congress (APC), the incumbent President and Commander-in-Chief, and the national security adviser. Furthermore, available evidence demonstrates that it is other countries, particularly developed ones – rather than Nigeria – that usually initiated the numerous security cooperation and interactions that Nigeria has been involved in. These developed countries have security objectives to attain in Nigeria. They thus sought the cooperation of the country in the only area Nigeria knew as security, that is, the military, intelligence and law enforcement. The country thus primed its MILE to avert any threat(s) to western ability to achieve its security objectives.

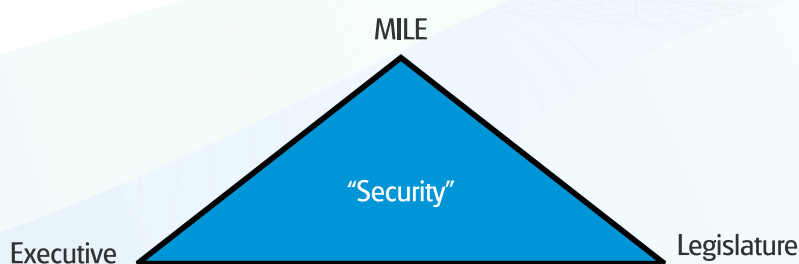


Figure 1: Triangle of “Security” for Corruption (ts4c) MILE

In Figure 1 above, the Triangle of “Security” refers to the persons and institutions superintending over “security” in Nigeria under civil rule. As shown on the Triangle, the military, intelligence and law enforcement (MILE) sit on top of this “security” as its undisputed leaders. The executive to whom the MILE is an agency serving its cause is down below to the left of the Triangle. The legislature which should call the shots in terms of what idea should make it into policies and programmes of the executive and thus to be implemented by the executive occupied the other bottom end of the Triangle to the right. Ideally and under the rule type in place, the executive and the legislature should jointly construct security in their image and cause the persons and institutions concerned to implement the laws, rules and regulations enacted therefor. In the Triangle, both the executives and the legislators receive orders and instructions from MILE agencies in the directions to go as far as “security” is concerned. While there is no significant difference between the executives and MILE agencies, the legislators appear to be at the mercy of the executives and MILE agencies in terms of security matters.

Security under civil dispensation ought to approximate to the wellbeing of the citizens in all ramifications such as employment, health, education, infrastructure, law enforcement, defence, etc. Such wave of security can be unleashed on the country if the National Assembly comes up with legislation on security that critically asks and answers these questions: what is security, whose security, what is a security issue and how can security be achieved?

1.6 Framework for constructing security for Civil Rule and Governance

I have argued that security model in military dictatorship is different from that of civilian dispensation. Unlike the military which lacks the people's mandate to govern, civilians in a democracy have the constitutional authority to rule. Logically, it is only a civil rule or governance framework that can create the enabling environment for the right form of security.

Civil rule or governance framework is the term often used to denote civil administration. It could also be called a democracy. According to Abraham Lincoln, democracy is government of the people by the people and for the people. Although such definition is vague, it nonetheless assists us in understanding

²⁸ Sandrina Antunes and Isabel Camisã, “Introducing Realism in International Relations Theory” (27 February 2018), <https://www.e-ir.info/2018/02/27/introducing-realism-in-international-relations-theory/> (accessed 2 May 2023).

²⁹ Stanford Encyclopaedia of Philosophy, “Political Realism in International Relations” (First published on 26 July 2010; and substantively revised on 24 May 2017), <https://plato.stanford.edu/Entries/realism-intl-relations/> (accessed 12 May 2023).

³⁰ Cynthia Vinney, “Social Constructionism Definition and Examples” (28 March 2019), <https://www.thoughtco.com/social-constructionism-4586374> (accessed 3 May 2023).

³¹ Alexandra Galbin Damaschin, “An Introduction to Social Constructionism (December 2014), https://www.researchgate.net/publication/283547838_AN_INTRODUCTION_TO_SOCIAL_CONSTRUCTIONISM. (accessed 8 May 2023).

³² See Matt MacDonald, “Constructivism” in Williams, *supra* note 27.

³³ Karin Fierke, *Critical Approaches to International Security* (Oxford: Polity Press, 2007), p. 56.

³⁴ However, as Macdonald noted, “such a broad definition of security tells us little about who the group itself is; what its core values are; where threats to those values may come from; and how the preservation or advancement of those values might be achieved: MacDonald, *supra* note 32, p. 61.

the scope or purport of people-based governance. Unlike military coupists who force their way to power through the barrel of the gun, civilians in a democratic dispensation are elected by the people. Civil rule is characterized by the supremacy of the constitution, rule of law, the existence of the three arms of government – legislature, executive and judiciary – human rights, civil liberties and civil obligations, transparency and accountability, credible opposition, etc. Specifically, civil rule creates the right atmosphere for a responsive and responsible government, inputs and criticisms from the opposition, cooperation from the people, etc. The legitimacy of civil rule derives from two sources: the people and the Constitution. The Constitution, which is enacted by the people, is an important document that guides the conduct of the government and the people for the benefit of all. In summary, civil rule governance is about the people, institutions, processes and procedures, and service delivery.

As representatives of the people, legislators have the duty to provide political directions to the different professionals saddled with operating sections of the Constitution in order to ensure the greatest happiness of the greatest number of Nigerians in the short, medium and long terms. However, it is when the Constitution is autochthonous – that is, truly deriving from the people – and faithfully implemented that it can attain that milestone. Unlike in a military regime where only the executives and, to some extent, members of the judiciary work, the three arms of government in a civil dispensation are obligated to operate. The legislature is placed in a vantage position to add value to governance by generating ideas that are reduced into legislations that will ultimately form the basis of governmental policies and programmes. It is worth noting that the executive branch of government can actively facilitate the legislative process by galvanizing policies that could be transformed into bills before the National Assembly. Similarly, the judicial arm of government would be on hand to, in the event of ambiguity, conflicts or disputes, act as an interpreter of the law or mediator between disputants.

However, the 1999 Constitution did not emanate from the people of Nigeria. The military promulgated it. Although Nigeria is theoretically a federation, it is practically a unitary state. For example, whereas there are 68 items in the Exclusive Legislative List over which only the Federal Government can legislate and exercise power, there are 30 ancillary matters in the Concurrent List over which both the Federal Government and States Government can exercise authority subject to the doctrine of covering the field. In other words, there is too much concentration of power at the centre to the detriment of the federating units. Similarly, there are provisions which though beneficial to the security or welfare needs of the people, are rendered non-justiceable, implying that the Court cannot entertain them, as evidenced by Chapter II of the 1999 Constitution. Although section 14(2)(b) thereof provides that the security and welfare of the people shall be the primary purpose of government, it is not subject to judicial review. But

³⁵ Ibid.

³⁶ Ashley Crossman, “Understanding Critical Theory” (15 October 2019), <https://www.thoughtco.com/critical-theory-3026623> (accessed 10 May 2023).

³⁷ Booth, *Critical Security Studies*, supra note 24, pp. 2-3.

³⁸ Ibid, p. 7.

³⁹ Ibid. See also Ken Booth, *Theory of World Security* (Cambridge: Cambridge University Press, 2007), pp. 95-134.

⁴⁰ Booth, *Critical Security Studies*, supra note 24, p. 181.

as has been previously argued, even the security therein does not represent the “security” Nigerians had in mind when they opted for civil rule. Rather, the security Nigerians envisaged in a democratic rule is that which strips military, intelligence and law enforcement agencies of monopoly over security matter and makes all Nigerians stakeholders thereon. Undoubtedly, the current security model has failed. Consequent upon such failure and thus the absence or inadequacy of “security” that is suitable for civilian rule, the National Assembly ought to fill the vacuum by creating the security that is in sync with the aspirations of most Nigerians. Unfortunately, they have made no concerted efforts to do so in any of their legislative interventions. Although a constitutional conference was convened in 2014, its final report was not allowed to see the light of day. President Buhari failed to implement the Report.

There are two perspectives to governance: technocratic and good governance perspectives. The focus on good governance perspective, from the point of the view of developing countries, emerged during the fourth wave of democratisation, which was championed by the developed countries. In any case, both perspectives are a means to an end, which is the ability to deliver services to the people. The World Bank defined governance as the effective and efficient utilisation of human and material resources for the benefit of people. Based on our discussion so far, civil rule dispensation is the only governance type that fits into World Bank’s definition. The Constitution lays the foundation for the operators in the system to perform. In 1989, the World Bank observed that “underlying the litany of Africa’s development problems is a crisis of governance.” The governance referred to here was technocratic governance. This is because within the continent of Africa as at 1989 there were all manner of governance types – civil elected, civil elected authoritarian, one party authoritarian, monarchy and military dictatorship.

Subsequently, the Bank came up with the perspective of good governance in order to distinguish it from technocratic governance. According to the Bank, good governance is synonymous with sound development management and includes some or most of these ingredients: an efficient public service; an independent judicial system and legal framework to enforce contracts; transparency and accountability in administering public funds; an independent public auditor responsible to a representative legislature; respect for the law and human rights at all levels of government; a pluralistic institutional structure, and a free press. In other words, good governance is synonymous with democratic or civil rule governance. As used in this paper, governance embraced the technocratic and the good dimensions as conceived by the World Bank. It means the ability to establish institutions that follow processes and procedures which should have the capacity to deliver services to most of the people in the short, medium and long terms. This condition envisages a situation where people are educated or employed.

However, there is a relationship between all types of governance, politics and the state. It is politics that produces the state. It is the state that produces governance. The politics in the Nigerian state

⁴¹ Booth, Theory of World Security, supra note 39, p. 111.

⁴² Booth, supra note 24, pp. 13-14.

⁴³ Ibid.

⁴⁴ See, Theory of World Security, supra note 39, Cap.3.

is, to use Leftwich's terminology, the type that generates, sustains and protects an ineffective and dependent capacity for governance. As a result of the poor quality of governance, institutions at all levels are weak, ineffective and inefficient.

1.7 Legislative Agenda for Security

Out of the three arms of government in civil rule, the legislature is the foremost content creator and generator of fresh ideas for governance. The legislature facilitates the work of the executive by laying the legislative foundation for policy measures and programme implementation. On its part, the judiciary exists to resolve the grey areas that may arise in the legislations, implementation of the policies and measures and in the relationship between the legislature and the executive as to their respective roles.

However, since civil administration came on board in 1999, Nigeria's legislature has failed to review or reform the Constitution and other allied legislations in order to redesign or restructure the architecture of security for the purpose of meeting the yearnings of Nigerians. Arguably, they have failed to take a cue from the US and China whose legislatures carried out necessary constitutional reforms in order to reflect their history, experience and reality (HER). Specifically, the US Congress passed the National Security Act in 1947 while the Chinese Assembly did similarly in 2020. Since the civilians came to power in 1999, the legislature has not yet conducted a diagnosis that would enable it to deconstruct, reconstruct or construct a security model that would mirror the country's history, experience and reality (HER) and, *ipso facto*, the reality of civil rule and governance frameworks. On the other hand, the executive branch of government has not fared better. Members therein are supposed to, in default of legislative action, design relevant policies that would make the legislature take necessary steps towards reforming the security architecture. Consequently, the prevailing "security" has been triggering the outbreak of crises and conflicts and, in response, the executive arm of government is always willing and ready to deploy the services of the military, intelligence and law enforcement agencies.

It is probable that the legislature in civil rule has unconsciously inherited the weakness of the military legislators. Instructively, in military rule the executive arm took over the role of the legislature. The military rulers were executives and legislators all rolled into one. Executives were visible but legislators were not. In civil rule dispensation, the legislators have never attempted to legislate on the subject of security that seeks to define the nature and scope of security, beneficiaries of security and the practical realization of security. The enthronement of representative rule in 1999 has exposed the policy and practice deficiency of such "security" in securing most Nigerians. It has revealed the inadequacy of security in civil dispensation.

45 Cf with Adoyi Onoja, "A 'Security' Component in Nigeria's Resource War" in Egodi Uchendu (ed.) *Nigeria's Resource Wars* (US: Vernon Press, 2020), pp. 769-798.

⁴⁶ Barry Buzan, et al, *Security: A New Framework of Analysis* (London, Lynne Rienner, 1998), pp. 23-24.

⁴⁷ E.g., see "How Abacha Transferred his Loot," *Tell*, pp. 12-17 (Lagos: 14 February 2000); "Confessions of Gwarzo: How We Stole for Abacha," *Tell*, pp. 20-24 (Lagos: 7 August 2000); and Arthur Agwuncha Nwankwo, *Nigeria: The Stolen Billions* 32 (Enugu: Fourth Dimension Publishing Co. Ltd, 1999), p. 131.

Unfortunately, instead of the legislators to do their job of carrying out surgical operation on such "security" to enhance the welfare of most Nigerians, they have decided to protect their personal interests and abandon those of the people. They have done this by colluding with the executives to recycle the prevailing strategy for "security" that at best derives from the schedule of military, intelligence and law enforcement institutions and at worst preys on the huge national resources (allocated for ensuring such security) for the benefit of a privileged few but at the expense of the rest of Nigerians. The woeful failure of the legislature has cast the institution in a very negative light in the eyes of Nigerians. It is perceived as weak or even a weakling in the scheme of governance. For example, the frequent embarrassment the National Assembly suffers in the hands of agents of the executive branch in ministries, departments and agencies (MDAs) is obviously demonstrative. Specific instances include the refusal of the so-called "security" chiefs to honour House of Representatives' invitation and the face-saving statement by the Speaker that he would report them to the President; the walk-out staged by the interim management of the Niger Delta Development Commission (NDDC); Minister of NDDC's allegation that members of the National Assembly were the beneficiaries of NDDC contracts and the intervention of the Chairman of the Committee and later the Speaker to hush the process down; and the accusation by the former Director General of Securities and Exchange Commission (SEC) against some members of the legislature of receiving tickets and money for an event they did not attend. All these sources of weakness have undermined legislators' ability to conduct regular public hearings.

The legislature is the law-making arm of government. Any legislature worth its salt should be in the forefront of enacting new laws that would form the basis of governance by executives. The legislators should be curtailing executive excesses in implementing existing laws. But they cannot accomplish this if they are part of the executive mess or would rather be contractors of projects. Nigerian legislature should not allow the overbearing psychology and sociology of the inherited military executive mindset to rob them of their pivotal role in governance by failing to initiate bold and transformative ideas into legislations. Their acting true to their duty as legislators would trigger most Nigerians' belief and confidence in them. Moreover, it will disabuse the minds of Nigerians that legislators are inferior to executives. It is the responsibility of the legislature to get to the bottom of what is wrong with the prevailing "security" perspective and point the way forward. Otherwise, the current security architecture will continue to fail, consume or gulp humongous national resources, enrich the elite in military, intelligence and law enforcement agencies, and undermine the wellbeing of Nigerians.

Security can be universal and culture-specific. The only universal security that is applicable to cultures is security's founding etymology of *securus*, *securitas* and *secure* (*free from care, something which secures or condition of being secure and feeling no apprehension*). However, the manifestation of these and their practices are subject to countries and cultural preferences. Nigeria's security construct is foreign. It duplicates Western ideas about security. Security is the economic, strategic and market

⁴⁸ Alexander Wendt, "Anarchy is what states make of it: the social construction of power politics" (1992) 46: 2 *International Organisation* 391-425.

⁴⁹ Ibid, p. 395.

⁵⁰ See Booth, *Theory of World Security*, supra note 39, pp. 95-277.

resources that the West go in search of in the different parts of the world with the assistance of military, intelligence and law enforcement agencies. Basically, within the context of the reality of globalization, it is reasonable for Nigeria to have imported and adopted such foreign security model contrary to what the chief proponent of the Historical School of Law, Von Savigny, would have recommended. But importing a foreign model without local content is antithetical to our socio-cultural and political milieu. In fact, the prevailing failed and failing “security” did not reflect Nigeria's history, experience and reality (HER) and derived only from the professional role of one agency of the executive which seized political power and ruled for such a time that it was able to fashion security in the image of the job schedule of military, intelligence and law enforcement agencies. Nigeria's legislature must construct the country's philosophy, nature, meaning and purpose of security.

1.8 Security, Corruption and Security Vote

Under military rule, the battle against corruption focuses on the agencies saddled with enforcing anti-corruption laws. Conversely, under civil rule, it is expected that anti-corruption should be about Nigerians (including the agencies) fighting corruption. However, because civil rule operates the military-ordained security construct, the battle against corruption has been substantially orchestrated by anti-corruption agencies (ACAs) such as the Independent Corrupt Practices Commission (ICPC), Economic and Financial Crimes Commission (EFCC), Police, etc. Such battle is fundamentally perceived as a security matter, that is, having to do with the work of law enforcement. Expectedly, the anti-corruption fight has not succeeded because the security strategy it employs is a misfit for civil dispensation. In civil governance, as security is everybody's business so is anti-corruption battle.

Arguably, Nigeria's battle against corruption can be said to have been inspired less by indigenous revulsion than by international development agenda. Such development agenda was instigated by the Bretton Woods Group, donor agencies or commitment to bilateral and multilateral relations. In view of the neo-colonial pedigree of these institutions, it is therefore not strange to find degrees of tolerance for corruption in the political economy of regimes in the course of Nigeria's post-independence history.

There are several perspectives to corruption but this discourse is limited to just two. The first perspective is the Transparency International (TI) type. TI defines corruption as the “abuse of entrusted power for private gain.” TI categorises corruption into three types: grand, political and petty. The second perspective is the Buhari type, which defines corruption as the theft of public funds by public officials. The Buhari-type is so-called because, with the exception of General Murtala Mohammed, no Nigerian ruler has ever been associated with battling corruption as Muhammadu Buhari, first as a military head of state in the mid-1980s and second, as an elected President since 2015. Unlike TI's perspective which is

⁵¹ The *National Security Strategy* 2014 is one of the most unrepresentative and seldom consulted documents to emerge from the Office of the National Security Adviser. The writer or custodian – Office of the National Security Adviser (ONSA) – does not even consult the document in the management of its so-called “security,” let alone ministries, departments and agencies (MDAs). As a document that speaks for the government on “security,” it ought to be widely and freely available for consultation. But that is not the case as everything around it was shrouded in secrecy. My investigation revealed that none of the ministries, departments and agencies cited in the work was consulted or part of the drafting of the so-called strategy representing their views. See Adoyi Onoja, *A Critique of the National Security Strategy* (Monograph 3, Jos, 2019).

expansive, Buhari-type definition is restrictive. Significantly, Buhari-Type definition of corruption comes under TI's grand and political corruption categories. However, all three types of corruption – grand, political and petty – are prevalent in the country and, in the context and pursuit of “security” among the executive, legislature and MILE. Out of the two definitions of corruption, TI's version is preferable because it covers most aspects of the discourse of “security.” TI's definition of corruption as the abuse of entrusted power for private gain implies the giving of power to an individual to hold in trust for the public.

Security can trigger corruption. This happens where in a bid to tackle the menace huge resources are committed to conduct investigations on an adhoc basis or to set up and fund anti-corruption agencies. In many cases, the rules of transparency and accountability are the least consideration in allocating or utilizing these resources. Within the context of this discourse, fighting corruption as a security issue provides the opportunity to corruptly spend more money fighting corruption.

Also, the unholy alliance between security and corruption is peculiarly demonstrated by the phenomenon known as “security vote.” Security vote refers to money set aside for the purpose of maintaining “security.” It is a Nigerian creation without legal foundation. The money is earmarked or allocated on a monthly basis and given to the 36 states for the purpose of funding security services in these states. “Security services” means the services provided by the executive agencies otherwise known as military, intelligence and law enforcement agencies. Ordinarily, the services of these agencies are budgeted for in annual statutory budget. But “security vote” is not an item in such budget. It is an extra-budgetary expenditure. The money runs into billions of millions of naira to the states based on security need. States such as Rivers, Delta, Lagos, Kaduna, Oyo and Kano that face constant security threats receive some of the largest security vote funds. For example, in 2021, State governors and local government chairmen in the 36 states of the Federation collected over N375 billion from public coffers as security vote. The security vote is not subject to legislative oversight or any other independent audit. The money is disbursed in cash and thus at the pleasure of the state's chief executive to use. The implication of this is that it creates an incentive for the executive branch to cultivate crisis or conflict in the polity in order to justify the need to access such money. For instance, at a point in time in the last seven years, it was believed that there were military and police operations in 34 out of the 36 states of the Federation. What this condition signified was that there were active crises and conflicts in these states which defined the face of “security” in Nigeria and thus the consistent access to “security vote” by Governors who are the chief executives or chief security officers of these states.

⁵² E.g., although the legislators appeared to have attempted an independent inquiry into security, the House of Representatives Special Adhoc Committee on National Security's Call for Memorandum limiting Nigerians to “solutions only,” and the production of National Security Summit Report 2021 therefrom, undermined such independence because the document endorsed the failed and failing view of security of executives and MILE agencies.

⁵³ E.g., see s. 1(3) of the CFRN 1999.

STATE	MONTHLY	ANNUALLY
1. Nasarawa	N100 million	N1.2 billion
2. Kogi	N400 million	N4.8 billion
3. Plateau	N216.667 million	N2.6 billion
4. Niger	N1.308 billion	N15.7 billion
5. Delta	N2 billion	N24 billion
6. Edo	N900 million	N10.8 billion
7. Akwa Ibom	N1.8 billion	N21.6 billion
8. Rivers	N1.5 billion	N18 billion
9. Cross River	N500 million	N6 billion
10. Abia	N700 million	N8.4 billion
11. Anambra	N850 million	N10 billion
12. Enugu	N600 million	N7.2 billion
13. Imo	N333.333 million	N4 billion
14. Yobe	N316.667 million	N3.8 billion
15. Borno	N806.25 million	N9.675 billion
16. Oyo	N1 billion	N120 billion
17. Ekiti	N100 million	N1.2 billion
18. Ogun	N80-N100 million	N960 million-N1.2 billion
19. Ondo	N600 million	N7.2 billion
20. Osun	N400 million	N4.8 billion
21. Taraba	N200 million	N2.4 billion
22. Bauchi	N1.417 billion	N17 billion
23. Katsina	N17.583 million	N2.11 billion

⁵⁴ See Part I, Schedule II of the 1999 Constitution.

⁵⁵ See Part II, Schedule II of the 1999 Constitution.

⁵⁶ See Cap II of the 1999 Constitution.

24. Zamfara	N600 million	N7.2 billion
25. Benue	N3.092 billion (allocation to personnel and overhead costs monthly which covers security vote among others)	N37.1 billion
26. Lagos	N1.429 billion (N1.297 billion(public order and safety)+N132.5 million (social protection)	N17.149 billion (N15.559 billion+N1.59 billion)
27. Kaduna	N400 million (N175 million security vote+N225 million (security vote) (preventive and supportive) for the SSG's office)	N4.8 billion (N2.1 billion+N2.7 billion)

Table 1: Allocation for Security Vote in some States

Source: Table improvised from

BusinessDay statistics

The above table shows the statistics of what some states have been collecting monthly and annually as security votes. As the Table demonstrates, there are 27 states benefiting from “security vote.” The figures for the other states were not available as at the time of the Table was compiled. In any case, there is no state in Nigeria that does not access the fund because there is none that is not in a lawless or disorderly condition. Such state of affairs is deliberately created, contrived or instigated by the political class' failure to effectively and efficiently utilise human and material resources for the benefit of most Nigerians. In view of the utility of “security vote,” the executives of the federating states have abiding interests in causing crisis and conflict perpetually in order to continue to benefit from the “security vote.” Such crises

⁵⁷ See World Bank, *Sub Saharan Africa*, supra note 1; World Bank, *Governance and Development* (Washington DC: World Bank, 1992); and Thomas G. Weiss, “Governance, Good Governance and Global Governance: Conceptual and Actual Challenges” (2000) 12:5 *Third World Quarterly* 795-814.

⁵⁸ World Bank, *Sub Saharan Africa*, supra note 1.

and conflicts are thus orchestrated by states executives to support their numerous political and pecuniary objectives including oiling the political economy of “security” that has been in place since 2009. The elected or appointed political class and their military, intelligence and law enforcement advisers are the primary beneficiaries of the funds committed to “security” from the “security vote.”

What the foregoing demonstrates is that the centrality of security in human affairs cannot be overemphasised. The search for security is at the centre of creation, evolution and migration. Even in its undefined, uncharted and ungoverned state for the last twenty-three years of civil rule, “security” has trumped other issues of governance and produced negative consequences including more corruption. Unfortunately, however, security vote has become an opportunistic pipe that drains and channels collective patrimony into the bank accounts or estates of states executives.

Moreover, corruption undermines the capacity of MDAs to translate policies into programmes for the benefit of the people. Such incapacity reinforces corruption and the vulnerability or insecurity of most Nigerians. Such vulnerability regenerates more corruption. Thus, Senator Dino Melaye recently argued that the population of people waiting to steal in Nigeria is higher than those who are currently stealing. Fortunately, Nigeria has many anti-corruption agencies (ACAs). But such agencies have not really helped in stemming the tide of corruption, especially with the tight schedule of the Independent Corrupt Practices Commission (ICPC) and the executive political manipulation of the Economic and Financial Crimes Commission (EFCC). In any case, these agencies are not immune from corruption.

Also, there are numerous non-governmental organizations and civil society organizations dedicated to challenging corruption through advocacy and education. In their intervention, these non-state actors unearth very damning facts about corruption. For example, a civil society organization (CSO) revealed the quantum of unconcluded probes embarked upon by the National Assembly, a phenomenon that entrenches further corruption. Notably, the probes are intended to unravel the status of the billions of naira of public funds committed to various programmes and projects across all tiers of governments for improving the lives and livelihoods of Nigerians. According to the Centre for Fiscal Transparency and Integrity Watch, there were 547 probes into various issues across the country out of which only three were concluded and the remaining 544 still ongoing. Curiously, out of the 544 cases, 245 cases have been so ongoing for over one thousand days (1000). Instructively, the probes into these affairs have gulped millions of naira of public fund, thus adding to the cost of governance in the country. However, although the issues being probed are variegated, they do not include the probe of the security sector despite the deafening allegations of malfeasance therein. Such circumstances are explainable. For example, the *Standing Orders of the House of Representatives* bars the House Committee on National Security and Intelligence from investigating and interrogating the content of national security

⁵⁹ See also United Nations Economic and Social Commission for Asia and the Pacific, “What is Good Governance?” <https://www.unescap.org/resources/what-good-governance> (accessed 17 May 2023).

⁶⁰ See Adrian Leftwich, “Governance, Democracy and Development in the Third World” (1993) 14:3 *Third World Quarterly* 620.

and intelligence let alone any of the value chains in “security.” The House Committee is limited to performing oversight functions only. The oversight function is itself clearly limited as otherwise it would involve digging into the so-called zone of “security” or “national security.”

The unwillingness of the legislature to tackle the issue of “security” and thus the endless proliferation of insecurity has culminated in the continuous looting of national resources in order to perennially fund such “security.” This is corruption at work. It involves the triangle of the legislature, executive and MILE. There have been two instances of groundbreaking grand corruption (in connection with the power sector and security project) associated with two political parties over the last twenty-three years of democratic rule. The first instance is that under the watch of Peoples’ Democratic Party (PDP), the government committed over \$16 billion into power generation, transmission and distribution. But the money was believed to have been shared amongst individuals without any appreciable improvement on the state of power supply. The second instance is in All Progressives Congress (APC) government, which consolidated on the notoriety of PDP. In its threat to make the country ungovernable should the Party not win the 2015 election; the Party proceeded to expand and deepen “security” with the elements it introduced into Nigeria. In the last seven to eight years, “security” emerged as one area where the APC government attempted to match its predecessor, PDP, in corruption. The government committed over N10 trillion (about \$22 billion) into “security” even as this “security” eluded most Nigerians. In its undefined, uncharted and ungoverned condition in democratic Nigeria, “security” is corruption personified. The reason is simply that almost all the conducts associated with this “security” generates corruption in 360 degrees. The prevailing “security” can only engender insecurity and thus the proliferation of corruption driven by need, greed, or opportunity. But in order to overcome this, security has to be the type that guarantees the wellbeing of Nigerians.

Therefore, it is envisaged that a paradigm shift in security design would trigger a new effective way of fighting corruption. Put differently, when, under the right security framework, the country genuinely addresses the welfare needs of the citizens, the anti-corruption battle will become people-oriented, implying that the citizens will team up with the agencies to either eradicate or drastically reduce the menace of corruption.

⁶¹ “Gbajabiamila: I’ll report service chiefs to Buhari for ignoring my invitation” (20 September 2019), <https://www.thecable.ng/gbajabiamila-ill-report-service-chiefs-to-buhari-for-ignoring-my-invitation> (accessed 12 May 2023).

⁶² “NDDC Boss, Others Walk out on Lawmakers at House of Reps Investigative Hearing” (16 July 2020), <https://www.channelstv.com/2020/07/16/breaking-nddc-walks-out-on-lawmakers-at-house-of-reps-investigative-hearing/> (accessed 7 May 2023).

⁶³ “Akpabio to Lawmakers: Most NDDC Contracts Awarded To You” (21 July 2020), <https://dailytrust.com/akpabio-to-lawmakers-most-nddc-contracts-awarded-to-you/>

⁶⁴ “Fraud: Reps demanded N44million bribe from me-Oteh” (16 March 2012), <https://dailypost.ng/2012/03/16/fraud-reps-demanded-n44million-bribe-from-me-oteh/> (accessed 8 May 2023).

1.9 Policy Perspectives and the Elimination or Reduction of Corruption in Governance

The four fundamental questions (4FQs) on security developed by Williams are: what is security, whose security, what is security issue and how can security be achieved? I find the framework of these questions useful in the search for the philosophy, legislation and policy on security in the country for Nigerian authorities who are minded about security governance, and for scholars and scholarship committed to security studies in the country. I will engage the framework to address security from three perspectives: Euro-America, Nigeria, and personal or civil rule governance framework.

(a) Euro-America Security Perspective

To address the four fundamental questions of security, it is important to underscore the fact that the US, Europe and other developed countries raise and consider security primarily in their engagement with other countries. In these states, which are the birth place of security and security studies, security is what William Appleman Williams termed the “lust for land, markets, or security...” Security addresses the likely impediments to these countries' ability to access resources in the ungoverned international environment. Their relations with foreign countries are governed by the search for economic resources and opportunities, and the protection of strategic resources. These countries' vision of security is to access resources in different parts of the world in order to enrich the homeland. Their mission comes in different phases and is governed by different circumstances. The military, intelligence and law enforcement agencies are merely the security apparatus for securing land, markets or strategic resources. Therefore, the answers to the four fundamental questions are premised on their capacity to do all of these, as the following discussion demonstrates.

What is security? Security is economic and strategic resources and the means used in navigating the international space in search of them. In other words, security is the unfettered ability to traverse the nook and cranny of the world in the pursuit of economic and strategic resources and opportunities. Whose security? It is the security of the state. The state is the agent and agency for security anywhere and everywhere in the world. As the recognised agent of the country on the international scene, the state has the capacity to move round in search of these resources and opportunities with the aid of military, intelligence and law enforcement (MILE) agencies. Although the state's freedom of action is regulated by international law, it is however worth nothing that in inter-state relations powerful states sometimes get away with certain conducts that are otherwise not permissible.

What is security issue? Security issue is primarily economic. Security begins with economic resources, markets, strategic resources and anything and everything that enhances the wellbeing of Americans and Europeans. But whatever it is that undermines the ability of the state to pursue these objectives is security issue and constitutes insecurity. Also, what constitutes security or insecurity is peculiar to each country. Therefore, for the United States and its allies, terrorism, insurgency, piracy,

⁶⁵ See Dias, *Jurisprudence* (London: Butterworths, 5th Edition, 1985), p. 378; and Kayode Eso, *Thoughts on Law and Jurisprudence* (Lagos: MIJ Professional Publishers Limited, 1991), p. 259.

hostile countries, etc. constitute security issues. America's first National Security Strategy encapsulated what were security and insecurity issues for President Trump's administration in its stewardship to the American people. The Strategy focused on immigration, Muslims, border walls and renegotiation of economic and strategic protocols of all types. Similarly, from the perspective of Britain, BREXIT constituted security and insecurity issues in its relation with other European countries. Implied in these security and insecurity issues was the attempt by the two countries to expand and extend their search for economic opportunities in order to grow prosperity back home. How can security be achieved? Security or the pursuit of wellbeing, for the United States and Britain, can be achieved through the establishment of alliances, relations and building or rebuilding of institutions. Specifically, rejigging bilateral, multilateral and institutional relations achieve security for these countries. President Trump's repudiation of some international instruments or protocols exemplified such approach.

The above discussion represents security for countries with security philosophy. This is what the legislation creating the National Security Act in America in 1947 seeks to achieve with the construction of formidable military, intelligence and law enforcement institutions and the establishment of military bases all over the world. The US' successive governments pursued this security vision using different strategies that reflect the missions of each administration for 70 years and above since the emergence of the American world order. This is what President Trump demonstrated in his first National Security Strategy where he targeted immigrants, Muslims, trade war with China and renegotiation of numerous economic or strategic international instruments including the North Atlantic Free Trade Agreement (NAFTA), Trans-Pacific Trade Partnership (TPP), etc.

(b) Nigeria "Security" Practice Perspective

There are four issues that readily come to mind. The first issue is whether Nigeria has the philosophy, nature, meaning and purpose of security. The second is whether this philosophy enjoys legislative backing from the country's Constitution or legislature. The third is whether security, like in the US and Britain, is considered primarily in the relationship between Nigeria and other countries. The fourth issue to address is whether Nigeria has active international relations governed by the same security principles that informed those of the US and Britain.

It is also important to ask whether Nigeria feels the need to use the means - the military, intelligence and law enforcement - to search for land, markets and resources, or to enable its navigation of the ungoverned international environment. What is the philosophy of Nigeria's foreign relations beyond establishing diplomatic presence in different parts of the world? It is probably the case that because these diplomatic missions do not really fetch the country economic benefits that President Buhari's administration decided, early in its tenure, to shut down or merge some of its missions. Now the discussion specifically turns on the four fundamental questions on security formulated by Williams.

⁶⁶ Transparency International, "What is Corruption," <https://www.transparency.org/en/what-is-corruption> (accessed 12 May 2023).

What is security? Security is the name and work of the military, intelligence and law enforcement (MILE) agencies. MILE strengthens the capacity of the government to tame and exploit the people. They are used against domestic opponents and to intimidate sections of the population. Security is holding the “horn” to enable the West and other countries “milk” the cow and, by extension, supporting the wellbeing of the ruling elite and their local collaborators. Nigerian establishment’s fascination with Western-style security is limited only to the instrumental role of military, intelligence and law enforcement agencies. Whose security? Security is about state. Security is the protection of the state. The state is represented by the government in power at any given time. The priority of security is thus the state and not the people, though the people and their safety are misrepresented as the goal of “security.” In the West, the state in search of security outside its shores represents the people. But the Nigerian state does not go in search of any resources outside its territory. Rather, it preys on the people and their resources within.

What is security issue? Security issue is anything and everything that threaten the ability of the state to prey on the people and to have its way against legitimate opposition and the people. Thus, security issues include dissent, dissatisfaction, protest, secession, militancy, kidnapping, banditry, terrorism and insurgency. Security issue also includes any expression of the people against the inability of the governments to provide for their needs. Western countries termed terrorism, insurgency and piracy as threats to their security and thus security issues that threaten their ability to access and move resources from different parts of the world to their countries. They elevated these issues to the front burner of their security. The Nigerian authorities latched on this to construct their own “security” issues. Arguably, in contemporary times, terrorism, insurgency or both and allied crimes have been termed “security” issues even as the authorities have been hard pressed to convince discerning Nigerians of the existence of these issues beyond the utilitarian value they connote for their battles against most Nigerians. How can security be achieved? “Security” is achieved by the equipping, utilisation and deployment of the military, intelligence and law enforcement agents to prevent or tackle crises or conflicts in the country. “Security” is also achieved through Nigeria’s collaborative efforts with the US and Europe wherein the latter initiate security cooperation with the former and the former benefits from training and logistics support from these countries. Such security cooperation assists the US and Europe to achieve their security objectives in Nigeria. After all, the security cooperation is at the instance of the foreign countries. The so-called benefits accruing to Nigeria increase the attainment of the security objectives of the foreign countries. This is because the training is not free and the logistics, even where donated, requires servicing. The country will have to purchase and maintain the equipment from these countries, a step that furthers the core aim of their security (the creation of economic opportunities). In the absence of Nigeria’s security philosophy, the country continues to get crumbs for its so-called “security.”

⁶⁷ E.g., see Obinna Nwachukwu, “Insecurity: Govs, LG Chairmen pocket over N375bn security vote annually, yet situation persists,” (27 June 2021), <https://businessday.ng/news/article/insecurity-govs-lg-chairmen-pocket-over-n375bn-security-vote-annually-yet-situation-persists/> (accessed 12 May 2023).

⁶⁸ Ibid.

⁶⁹ Dakuku Peterside, “Security vote and transition stories” (10 April 2023), <https://www.thecable.ng/security-vote-and-transition-stories> (accessed 3 May 2023).

⁷⁰ Ibid.

(c) Personal or Civil Rule Governance Framework

I anchor this discussion on the two concepts of history, experience and reality (HER), and studying, thinking, observing and comparing (STOC). I developed these concepts as methodological tools. They have been useful in my engagement with security and security studies. They are necessary for explaining why the country and its nationalities are not at ease and the reason the “security” constantly invoked by the state failed, is failing and will continue to fail.

By history, I mean the manner Nigeria was birthed by the British from the patchwork of the traders, explorers, adventurers and missionaries to the conscious beginning of the construction of the area that became known as Nigeria, as British security idea. The experience represents what the nationalities, particularly the major ones that took over the baton from the British, made of Nigeria from 1960 to date. The reality is the consequences of the governance, lack of governance, poor governance or inadequate governance of the country and the resulting poverty, inequality, marginalisation and the crises and conflicts they engender. Governance here harmonises with World Bank's view as the efficient and effective utilisation of human and material resources for the benefit of most people. This history, experience and reality (HER) is a *sine qua non* for the construction of security for Nigerians and Nigeria. But in order to get to the root of the HER, it is important to Study, Think, Observe and Compare (STOC) the history, experience and reality of the security experiences of different parts of the world but particularly that of the US and Europe. On the basis of HER and STOC, I use the framework of the four fundamental questions (4FQs) of security to answer what security should be in Nigeria as demonstrated below.

What is security? Security is wellbeing in all of its forms. Wellbeing is living well and living above poverty level. Living well is accessing or having the means to access basic needs such as food, health, shelter, school, etc, on short, medium and long term basis. These are basic necessities of life. The availability or otherwise of, and accessibility or otherwise to, wellbeing are two sides of the coin of security. Whose security? Wellbeing or security is for individuals; not for the state. Individuals are the barometer for measuring wellbeing. Since the state is a creation of individuals, the wellbeing of the state cannot be elevated over and above that of the individuals. What is security issue? Anything that undermines the wellbeing of an individual constitutes a security issue. In Nigeria, security issues include: weak and declining family and family value, poor or inadequate governance, poverty, lack of opportunities for different demographic groups, unemployment, inequality, marginalisation, lack of public utilities, lack of access to basic primary, secondary and tertiary education, corruption or the abuse of entrusted power for private gain, plunder of public funds, etc.

How can security be achieved? The strategy for achieving security or wellbeing is to enshrine its pursuit as a constitutional requirement of every public and private policy in Nigeria. Security or wellbeing can be achieved by cultivating and doing anything and everything that promote, enhance and advance the wellbeing of Nigerian citizens. The public (including ministries, departments and agencies) and private sectors should take the wellbeing or security of the recipients of their products and services as

⁷¹ Adoyi Onoja, *In Search of “Security” Vote in Nigeria* (Monograph 10).

their primary objective. Unfortunately, Nigerians lack these variants of security. But it is such security that the legislators should construct in line with the democratic mandate. It is taking care of Nigerians this way – through effective and efficient utilisation of human and material resources – that will trigger the elimination or reduction of corruption. It is such approach that will create the anti-corruption enabling environment around the people. Therefore, the intervention of the legislature in creating the philosophy for security will inaugurate the anti-corruption sentiments that will ultimately launch a decisive assault on corruption. Such development will signal the beginning of the governance of security. In other words, the legislature will make security, defined as wellbeing in all of its forms, within civil rule and governance frameworks, foundational vision and mission of all legislations, rules, regulations and policies emanating from institutions other than the legislature. This will institute security governance, as the executives, who are charged with implementing policies and programmes, will ensure that legislations deliver opportunities that are beneficial to most Nigerians.

It is elected officials (especially members of the legislature) and not MILE agencies that have the mandate to determine and manage security in line with the history, experience and reality (HER) of Nigerians. This is the security the legislature should deliver to most Nigerians. But Nigeria's elected officials collude with MILE agencies for personal pecuniary benefits at the expense of the people. Also, they are afraid of the guns in the hands of MILE agents as a result of which they tend to defer to the gun-wielders. Ironically, the elected officials fail to realize that the key to their safety is not in the hands of MILE agents but in the hands of the people. If the elected officials feel truly threatened by the guns, all they need to do to guarantee their safety is to deliver security or wellbeing to most of the people. Nigerians will defend them against the guns of the wielders.



Nigerian Police Force (Premium Times NG)

⁷² See Centre for Fiscal Transparency and Integrity Watch portal, www.fiscaltransparency.org/probesmonitor/current-probes (accessed 5 September 2022).

⁷³ See Adoyi Onoja, “Abandoned, Suspended and Unending Ongoing Probes as Corruption Type in Nigeria's Fourth Republic National Assembly” (Research Proposal, Department of History, Nasarawa State University, Keffi, October, 2022).

⁷⁴ See Centre for Fiscal Transparency and Integrity Watch, www.fiscaltransparency.org/probesmonitor/current-probes.

⁷⁵ See Federal Republic of Nigeria, *Standing Orders of the House of Representatives* (9th edition, Abuja, National Assembly Complex, 2016), p. 179.

2.0 CONCLUSION

There is no relationship between the prevailing “security” and anti-corruption in Nigeria. The prevailing “security” was born in corruption in its conception, development and execution. Such security and corruption are two sides of a coin as both work towards enhancing the other in the subversion of governance. It is possible to create security that will engender anti-corruption amongst the citizens where such security creates the enabling environment for the greatest happiness of the greatest number of Nigerians by, for example, creating the enabling environment for eliminating or reducing inequality, poverty, unemployment, etc.

Nigeria's legislators have the mandate and power to entrench the security paraphernalia that prioritizes the welfare of the people as the directive principles of state policy. The welfare of the people is the supreme law. The legislators have the power to provide the Governance of Security (GoS) which will in turn unleash Security Governance (SG) on all spheres of lives and livelihoods of most Nigerians, implying the provision of basic goods and services to the people.

With these in place, the momentum for the assault on corruption would gather and culminate in the eradication, control or reduction of the menace. A security framework that provides for the wellbeing of Nigerians is the panacea for resolving the interminable battle against corruption because the people, being aware that their wellbeing rests on the national patrimony that the privileged few love to plunder, would massively enroll into the anti-corruption vanguard and run treasury looters out of business. Then corruption will not just be a battle to be fought by MILE but by all Nigerian stakeholders.

⁷⁶ E.g., see “Nigerian Government Blew N10trillion on Worsening Insecurity in Six Years — Report” (6 May 2021), <https://saharareporters.com/2021/05/06/nigerian-government-blew-n10trillion-worsening-insecurity-six-years-%E2%80%94-report> (accessed 12 May 2023).

⁷⁷ See Stone & Kuznick, *supra* note 23, p. xiii.

⁷⁸ E.g., see article 2 of the United Nations Charter 1945.

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