

LEGAL IMPEDIMENTS TO NIGERIA'S NATIONAL SECURITY*

Abstract

Nigeria as a state is a creation of the law; the Constitution of the Federal Republic of Nigeria 1999 (as amended). By the Constitution, Nigeria is a Federal State with the government at the centre and other states and the Federal Capital Territory Abuja. As it is customary, authority within Nigeria is divided between these tiers of government. It does appear that with several years of military rule, the ideals of federalism have been eroded, beginning with General Irons Unification Decree No. 34 of 1966 and subsequent military governments, Nigeria is operating what is referred to by critics as 'Unitary federation'. Under this arrangement, the national government in Abuja has taken over the function and duties of the federating states. All laws promulgated or enacted by the National or States Houses of Assemblies must not be in conflict with the Constitution. Where they are, they are to the extent of such inconsistency null and void. Be that as it may, the National Security architecture is most affected as all the security forces and institutions are listed on the exclusive legislative list in the second schedule of the Constitution. The National Security Council, a body created by the Constitution, is more or less an organ of the central government. It is no longer news that Nigeria is labouring under the yoke of insecurity, the lopsided nature of laws enabling security as the major impediment in the realisation of national security. This article examines the legal regimes put in place to enhance national security and it is concluded that unless the Nigerian state gives the full meaning of federalism, the issue of insecurity shall continue to be with us.

Keywords: National Security, Legal Impediments, Strategy and Policy, Nigeria

1. Introduction

The Nigerian State is engulfed by insecurity hardly a day passes without a record of major attacks by criminal gangs. In the North-west, there is total breakdown of law and order in Kaduna, Zamfara and Katsina States orchestrated by what the government calls 'Bandits'. In the North-East, the Boko Haram insurgents have ransacked and occupied several territories in Borno, Yobe, Adamawa and Bauchi States. The Fulani herdsmen have ransacked several communities in Plateau, Taraba, Benue and Kogi States in the middle belt region. In the East, the indigenous people of Biafra (IPOB) and the Eastern Security Network have been a pain to the people, apart from daily murders, the economy of the states in the region has been killed as the 'faceless' gangs have decreed a 'sit at home' policy every Monday of the week which the security forces dutifully obey same. In the South-south, oil bunkering, theft, kidnappings and armed robbery are prevalent, in Bayelsa, Rivers, Delta and Edo States, in the West, the situation is not different, armed groups engage in serial killings, kidnappings, armed robbery, cyber crime, drug trafficking and smuggling. The cumulative effect is that Nigeria is designated a failed or failing state¹. This article shall examine the role of law in enhancing national security and whether law has become an impediment towards, the realisation of National Security objectives.

2. What is National Security?

The concept of security has eluded a concise definition. Osisanya quoting Makinda defines security as the presentation of the norms, rules, institutions and values of the society². According to the United Nations Development Programme, human security covers chronic threats as hunger disease and repression security means protection from hidden and hurtful disruptions in the patterns of daily life in homes, offices or communities³. Afolabi is of the opinion that security has to do with the process connected with assuaging any kind of threat to people and their precious values⁴. Otto and Ukpere referring to Webner and Asby define security as protection against something that might happen in the failure or as the activities involved in protecting a country, building or persons against threats danger e.t.c Elucidating on the concept of security, Ofolabi captures Imobighe thus⁵:

Security has to do with freedom from danger or threats to a nation's ability to protect and develop itself promote its cherished values and legitimate interest and enhance the wellbeing of its people. This internal security could be seen as the freedom from the absence of those tendencies, which could undermine internal cohesion, and the corporate existence of a country and its ability to

*By Vanen Lawrence AN TOM, PhD (Nigeria), Senior Lecturer, Nigeria Police Academy, Wudil, Kano State Nigeria, Email: vanenantom@gmail.com, Tel: 08065901567.

¹ Obadia Malafia 'Is Nigeria a failed state?' available at www.punching.com (last accessed 04/01/2024).

² Segun Osisonyan 'National Security Versus Global Security' available at www.un.org/en last accessed 04/01/2024).

³ United Nations Development Programme (UNDP) 'The Human Security Framework and National Human Development Reports. A Review of Experiences and Current Debates' United Nations Development Programme National Human Development Report Unit Compiled by Richard Jolly and Deepayan Basu Ray – Institute of Development Studies, Sussex, available at www.undp.org.files>documents (last accessed 2/12/2023).

⁴ Muyiwa Afolabi 'Concept of Insecurity' ... (copy from 9)

⁵ Elliot Bulmer; Federalism, International Constitution-Building primer available at www.idea.int>federalism-primer (last access 11/12/20223).

maintain its vital institutions for the promotion of its core values and socio-political and economic objectives as well as meet the legitimate aspirations of the people.

Arguing from this perspective, Ochoche believes that security is more than military security from external attacks, it includes the struggle for survival. He said that security as a concept should be applied in its broader sense to include economic social, environmental, food, life and technological security⁶. This conception is no doubt comprehensive, since it has gone beyond providing military security to a people. However, the parameters of this work are limited to the military security as the authors will be examining the legal and institutional framework hindering the realization of security. Insecurity on the reverse side means absence of security. Bina referring to Ali says it is the state of fear or anxiety stemming from a concrete or alleged lack of protection⁷. It is admitted that this definition encompasses both physical and other insecurity challenges prevalent in Nigeria⁸. Osisanya describes National Security as the ability of a state to cater for the protection and defence of its citizens⁹. According to Holmes National Security is a safekeeping of the nation as a whole. Its highest order of business is the protection of the nation and its people from attack and other external dangers by maintaining armed forces and guarding state security¹⁰. The document of the Republic of Latvia conceives, National security as a state, attained as a result of joint, purposeful measures implemented by the country that ensures improvement of internal and external security as well as improves general abilities and readiness for detection, prevention and overcoming of threats to the national security. It has been argued that the concept of National security transcends military security. Afolabi quoting Mc Namara said¹¹:

Any society that seeks to attain adequate military security against the background of acute paucity of food, population explosion, low level of production, low per capital income, low technological development inadequate and insufficient public utilities and chronic problem of unemployment has a false sense of security.

It is indeed the direction of the sense of modern-day national security. Nwolise posits that – A country may have the best armed forces in terms of tracking and equipment, the most efficient police force, the most efficient custom men, the most active secret agents and best quality prisons, but yet be the most insecure nation in the world as a result of defence and security problems within bad governments, alienated and suffering masses, ignorance, hunger, unemployment or even activities of foreign residents or companies¹². While Ngbale conceptualizes national security as ‘All-encompassing condition in which citizens can live in freedom, peace and safety, participate fully in the process of governance, enjoy the freedom, peace and safety, participate fully in the process of governance, enjoy the protection of fundamental human rights, have access to resources. Macer’s definition is similar to that of Wikipedia where he concluded that national security is the capacity to control those domestic and foreign conditions that the public opinion of a given society believe are necessary for it to enjoy its own self-determination or autonomy, prosperity and wellbeing¹³.

National Security Policy or Strategy

National Security Policy (NSP) is a framework for describing how a country provides security for the state and its citizens, and is often presented as an integrated document. According to United Nations SSR Task Force, National Security Policy (NSP) provides guidelines for a country to address security needs of the people and the state. The policy incorporates the views of government and other institutions, as well as needs and perception of the people (DCAF 2015). National security strategy or policy (NSS) or (NSP) is a key framework for a country to meet the basic needs and security concern of citizens, and address external and internal threats to the country.

Nigerian National Security Strategy

Nigeria launched its first National security strategy in 2014. The objective of the policy document was to guide, organize and harmonize national security policies and efforts. The policy identified key security issues and assigned approaches, roles and responsibilities to government¹⁴. The strategy was short-lived paving way for a national security strategy 2019. Advancing reasons for a review of the 2014 policy, Monguno in the preface to the strategy said that ‘there has been intensification of pastoralist’s farmers’ conflicts in many states of the federation, banditry has escalated and become a major feature of the security environment. Similarly, there has been a significant upsurge in

⁶ Afolabi Op Cit.

⁷Ochoche S. (1997) ‘Electoral Violence and National Security in Nigeria’ in Africa Peace Review. vol. 1 No.1 page 27.

⁸ Forence, B. Bina and Paul Y. Mbaya and H.D DDLakwa ‘Effect of Insecurity on the Livelihood of Community in Maduguri Metropolis’ available at www.sryaliwapublications.com/download (last accessed 2/12/2024).

⁹Segun Osisanya ‘National Security versus Global security’ available at <https://www.un.org/en/chronicle/article/nationalsecurity-versus-global-security> (last accessed 8/10/2023).

¹⁰Kim R. Holmes: ‘What is National Security?’ Available at www.haritage.org/default/files (last accessed 17/10/2022).

¹¹ Afolabi Op. Cit.

¹² Nwolise, O.B.C (2008) ‘National Security and Sustainable Democracy in Emmanuel O.O (ed) *challenges of sustainable democracy in Nigeria*, Ibadan: John Articles Publishers.

¹³ National Security available at www.en.m.wikipedia.org/wiki (last accessed 27/12/2023).

¹⁴ ‘Rule of Law Initiative’ available at www.partnershipingeria.org/policy (last accessed 22/12/2023).

kidnapping and other crimes. The national security strategy 2019 therefore aims at ensuring that Nigeria's sovereignty, territorial integrity, national interests, the well-being of the people and the country's institution are preserved, protected and enhanced. It provides further that the strategy is a comprehensive vision of national security, premised on the understanding that a responsible society aware of its security is better poised to address today's challenges¹⁵. The Nigerian National Security Strategy is a comprehensive document that draws the security road map of the country, it is in seven chapters. Most prominent is the national security threats which have remained a pain in the neck of the government people of Nigeria.

National Security Threats

The policy captures in great detail, the various security challenges the nation is facing amongst which are terrorism and violent extremism represented by Boko Haram Terrorist (BHT) and the Islamic State of West African Province (ISWAP) which the document noted has continued to carry out intermittent attacks on isolated targets with the ultimate aim of creating an Islamic caliphate. The other threats are caused by armed banditry and kidnapping whose major activities include kidnapping and cattle rustling. This crime it is stated continue to thrive because of the economic benefit derived by the criminals. Trend analysis suggests a correlation between armed banditry, militia groups, kidnapping and cattle rustling in what appears to be a convergence of various illegal networks¹⁶. The document noted that the pastoralist, and farmers conflict are wide spread with severe consequences in terms of loss of lives, property and disruption of normal functioning of society. These conflicts undermine the fabric of our corporate existence as they exacerbate the various faultlines with grave implications. At the heart of these conflicts are the quest for land, grazing routes, water and other resources. Climate change, population explosion and growth of new settlements are veritable resources and causal factors of most of these conflicts. The pastoralist-farmers conflict makes it a critical issue that needs to be addressed quickly and comprehensively. The policy incorporates transnational organized crimes such as illicit financial flow and money laundering, drugs and human trafficking, proliferation of Small Arms and Light Weapons (SALWs) as well as proliferation of Chemical, Biological, Radiological Nuclear and Explosive (CBRNE) weapons which have impacted on national security. Piracy and sea robbery has become a menace, these include hijacking of fishing vessels and oil tankers, kidnap of miners as well as increased piracy along shipping routes and sea line communication (SLOCS). Nigerian waters and adjoining coast of Guinea has been adjudged as high-risk area and one of the most troubled global waters.

The porous nature of our border has been noted with concern as a fertile ground for organized crimes, it has aided irregular migration and other transnational organized crimes, refugees and criminal gangs from southern anglophone Cameroon cross over to Nigeria. The Benue state¹⁷ volunteer guards arrested five Ambazonia fighters suspected to have links with Boko Haram. In the North, the cattle rustlers operate freely across border lines of Zangara, Sokoto, Katsina, Adamawa and Taraba states. The border between Nigeria and Benin Republic is notorious for smuggling activities. On cybercrimes and technology, it has been observed that cybercrimes are inherently asymmetrical with an espionage and warfare. The proliferation of such actors both within and outside Nigeria has heightened the threat profile and demands increased security measures. The four major areas of cyber threats with significant capability to cause considerable damages to the national security and economy include; cyber espionage, cybercrime, cyber conflict and cyber terrorism. The threats, it is noted have serious implication on the nation's stability¹⁸. The policy has covered very serious areas like environmental threats, fake news and hate speech, public health challenges, energy deficit, unemployment, poverty and regional security challenges.

3. Nigeria: A Federal State?

Federation is a government that favours a distinct territorial pattern of government, the one that combines the centralisation of some political powers and the decentralization of others. It is a league of states that joined together in pacts, covenants or agreements typically for defence purpose. Where defines federation as the method of dividing powers such that the general and regional governments are each, within a sphere, coordinate and independent. Giving the characteristics of a federal state, Ugbe referring to Odion says:

- (a) There must at least be two levels of government and there must be constitutional division of powers among the different levels of government;
- (b) Each level government must be coordinate and independent;
- (c) Each level of government must be financially independent. According to him this will afford each level of government the opportunity to carry out functions effectively without the need to depend on or appeal to the others for financial assistance;

¹⁵ Babagana Monguno was the National Security Adviser to President Mohammadu Buhari – 2015 – 2023 wrote the preface to the National Security strategy, 2019.

¹⁶ National Security Strategy, 2019 available at www.nctc.gov.ng (last accessed 4/12/2023).

¹⁷Peter Duru: 'Benue State Volunteer guard apprehends 5 armed ambazonia fighters' available at www.S.armedvangaurdng.com/2022 (last access 17/10/20223).

¹⁸ National Security Strategy 2019, Op Cit.

- (d) There must be a Supreme Court of the independent judiciary. He opines that in respect of power sharing, there is likely to be conflict hence the need to have an independent judiciary for just resolution of such conflict;
- (e) In terms of amendment of the constitution, no level of government should have undue power over the amendment process the satisfaction of their conditions is a presumption of the existence of federalism.

According to Bulmer, federalism is a constitutional mechanism of dividing power between different levels of government so that federating units can enjoy substantial constitutionally guaranteed autonomy over certain policy areas while sharing power in accordance with agreed rules over other areas. Thus, federalism combines partial set/government with partial shared government¹⁹. By the provisions of the Constitution of Nigeria 1999 (as amended) Nigeria is a federation of Thirty-Six States (36) and the Federal Capital Territory (FCT). The federation consists of Seven Hundred and Seventy-Four (774) Local Government Areas. They are intended to serve as the lowest tier of government that will be more responsible to the needs of the people²⁰. The 1999 Constitution (as amended) provides in section 2 (1) thus:

- (1) Nigeria is one indivisible and indissoluble sovereign state to be known by the name of the Federal Republic of Nigeria.
- (2) Nigeria shall be a federation consisting of states and a federal capital territory.

Section 3 of the constitution provides for Thirty-Six (36) states and a Federal Capital Territory (FCT) and such states shall further divide into local governments. It has been argued by Onochie that the idea of Nigerian federation is a mere rhetoric as Decree No. 34 of 1966 made Nigeria into a unitary state, he said²¹:

On May 24, 1966, a foundation of what would become a major problem to today's Nigeria was namely and innocently laid by Major General Thomas Johnson Umunnakwe Aguiyi Ironsi's Decree No. 31 Decree 34 was also known as unification decree by the Aguiyi Ironsi regime. According to the provisions of Decree 34, Nigeria shall on 24th May 1966 (in this Decree referred to as the appointed day) cease to be a federation and shall accordingly as from that day be a republic, by the name Republic of Nigeria, consisting of the whole of the territory which immediately before that day was comprised in the federation. This Decree made Nigeria a unitary state and removed its federal structures believing that would bring unity but uniformity is no guarantee for unity.

Ikoku has argued that Nigeria's constitutions up to the time of independence in 1960 were truly federal in character. Each region had its own constitution, coat of arms and autonomy with regard to the functions prescribed to it and it was these four regions that ceded powers to the central government. The reverse is the case in the constitution of 1979 and 1999 which were introduced by the military²².

4. Legal and Institutional Framework for National Security

The Nigerian security according to Thomas is vested in the president of Nigeria who exercises such powers through the various security agencies which include the followings²³:

- (1) The arm forces viz: Army, Air Force and Navy.
- (2) The Nigerian Police Service
- (3) Paramilitary bodies including Customs and exercises, the Immigration Service Intelligence Services viz: Military Intelligence and the State Security Services, the National Intelligence Agency.

Under the Nigerian Constitution, the security agencies are answerable to the federal government because they are under the exclusive legislative list. Thomas opines that despite the existence of the 36 commands of the Nigerian Police in the states, the central decision-making body resides within the Inspector General of Police who is answerable directly to the President. The Police Act provides²⁴: 'There shall be under the command of the Nigeria Police, such member of Deputy Inspector General, Assistant Inspector General, in the Nigerian Police Council considers appropriate a commissioner for each state'. The police council is chaired by the president with the governors of each state as members, the Chairman of the Police Service Commission and the Inspector General of Police. The council appears a mere formality as it has been barred from the operational control of the force. The act provides

¹⁹ Federalism and Federation available at www.princeton.university.pesd.princeton.edu/node/431 (last accessed 22/12/2023).

²⁰ Elliot Bulmer; Federalism, International Constitution-Building primer available at www.idea.int/federalism-primer (last access 11/12/20223).

²¹ Afro-Barometer (2008) 'Public Opinion and Local Government in Nigeria', Afro-Barometer Briefing paper No.53 2008 available at www.afrobarometer.org/publications (last access 17/10/20223).

²² Guy Uke Ikoku; 'Nigeria's Unitary Federalism' www.guardian.ng/opinion/nigeria. (last accessed 17/10/2023).

²³ Abraham Nabhon Thomas; 'Security Architecture and Insecurity management: context, content and challenges. www.research.net/publication/28 access 17/10/20223.

²⁴ Section 5 of the Police Act, 2022

The function of the council shall include the organization of Nigerian police force and all other matters related thereto (not being matters relating to the use and operational control of members of the force, or the appointment, disciplinary control and dismissal of members of the force)²⁵.

The arm forces of Nigeria comprise the Nigerian Army, the Navy and the Air Force. The Nigeria Army is the land division of Nigerian Security Force, the Navy is for the sea while Air Force is the aerial support for the other divisions of the armed forces (security agencies in Nigeria and their major roles)²⁶. The other security agencies are National Intelligence Agency and the Defence Intelligence, State Security Service (ASS) while the former is created for protection of critical national infrastructure, the latter two are primarily for overseeing intelligence and counter intelligence (Onyekachi 2020). The appointment and control of the officers and personnel of these agencies are solely in the hands of the Federal government with no input from the states. The constitution has created some other security bodies like the National Defence Council, and the National Security Council the composition of the National Defence Council is the President and his Vice, service chiefs and other members as the president may appoint. Their principal role is advisory on matters relating to the defence of the sovereignty and territorial integrity of Nigeria. They comprise of the President, Vice President Chief of Defence Staff, Ministers of Internal Affairs, Defence, Foreign Affairs, the National Security Adviser, the Inspector General of Police and such other appointees as to be made by the president. The role of the council is also advisory, what appears absurd is that all members except the vice president are the president's appointees²⁷.

5. The Legal Impediments to National Security

The National security strategy 2019 has highlighted what it titled national security threats²⁹. It says the threats are multifaceted and less predictable with blurred boundaries between external risk factors. The challenges are grouped under the following threats terrorism, and violent extremism, armed banditry, kidnapping, militancy and separatist agitations, pastoralist farmers conflicts, transnational organized crimes, piracy and sea robbery, porous borders, cybercrimes and technological challenges, others include socio-political threats, fake news and hate speeches, environmental threats, public health, economic challenges, and regional and global security challenges amongst many others. One gaffe noticeable in the plan is that the strategy document attempts to advance solution without clearly situating same within the legal paradigm. The problem of National Security can largely be traced back to the lopsided nature of the constitution which is the ground norm, the mother of all laws, the 1960 Independent Constitution and the 1963 Constitution provided for true Federalism until the military intervention of 1966. Ikoku said the infamous decree No.34 of 1966 promulgated by the military which did away with the federal system practiced by Nigeria since Independent³⁰. This Constitution is no doubt an affront on true federalism, Sagay quoted by Antom states the true idea of federalism, said³¹:

In a federal system the state is made of two orders of government each possessing powers circumscribed by the Constitution, and becomes the object of mutual surveillances. Each order of government can go to court if it believes that the other is infringing on its jurisdiction.

The challenge that this has created is that the governors who are supposed chief security officers of the state are mere nominal security officers. The Constitution gives the governor powers in one hand and collected same in the other. It provides³²: 'The executive powers vested in the state under subsection (2) of this section shall be so exercised as not to impede or prejudice the exercise of the executive powers of the federation'. The courts have held the above provision in the control of police to mean that the governors cannot impose any duty on the commissioner of police. In *State v. Commissioner Police, Mr. Bishop Eyiene Ex parte Governor of Anambra State*³³ the governor had directed the commissioner of police to post a given number of named police officers on security duty at Government House or any other place. The Commissioner refused; the court agreed that such posting is within the exclusive powers of the commissioner of police. The decision of the court has rubbished the constitutional provision under section 215 which empowers the governor to give lawful orders to the commissioner of police in respect of the maintenance and securing of public order and safety within the state and such commissioner is bound to obey. It has been argued that the command structure of the police has hampered the state governors to truly operate as chief security officers. The threats to national security have made various states to establish local security outfits as the conventional forces have been overwhelmed, for instance, the South Eastern states have Eastern Security Network, the South West, Amotekun the Benue State Government, Volunteer Guards while Katsina State has Vigilante. The outfits are prohibited by law

²⁵ Section 27 of the third schedule Constitution of the Federal Republic of Nigeria, 1999 (last accessed 23/12/2023).

²⁶ 'Security Agencies in Nigeria and their major Roles' available at <https://www.newbalancejobs.com/security-agency-in-nigeria> (last accessed 27/12/2023).

²⁷ Security 16 and 25 of the 'Third Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (last accessed 27/12/2023)

²⁹ Chapter 3 of the National Security Strategy, 2019

³⁰ Ikoku Op Cit.

³¹ Antom Vanen Lawrence 'Interrogating powers of the government as chief security officer of the state in Nigeria; any need for State Police' available at www.nigerianjournalonline.com (last access 11/12/20223).

³² Section 5 (3)(a) of the Constitution of the Federal Republic of Nigeria, 1999 as amended.

³³ (1981) Suit No E/65M/8 of 29/5/1982.

to carry out arms except with the approval of the president and commander in chief or the National Security adviser acting on his behalf. The Fire Arms Act which is An Act to make provision for regulating the possession of and Dealing in Fire Arms and Ammunition including muzzle loading comes in and The Fire Arms Act 1959, provides³⁴:

No person shall have in his possession or under his control any fire arm of one of the categories specified in part 1 of the schedule to this Act (in this Act referred to as a 'prohibited firearm') except in accordance with a license granted by the president acting in his discretion.

Acting on the provisions of this Act, the National Security Adviser to Buhari Babagana Mongonu in a rejoinder to Akeredolu on the Federal governments' favouritism in allowing Katsina State government to arm its Vigilante maintained that no state is empowered to authorize the use of arms and ammunition by security outfits³⁵.

6. The way out of legal impediments to National security

It has been argued that the problem of National security is founded on the laws of Nigeria. At the centre of all these is the constitution which is the ground norm. Nigeria prides itself as a federal state, this was clearly provided under the 1960 and 1963 constitutions. The turning point in our constitutional history was the unfortunate Decree No 34 of 1966 which usurped the powers of the regions and concentrated them at the centre. This is coupled with the fact that the long years of military and their subsequent constitutions have eroded the powers of the states including that of security. The Governors, Antom has argued wear the title of chief security officers as a chieftaincy title. There must be a return to true federation⁴⁰. Nigeria must take the cue from the United States of America. The fragmented system of police administration in the United States has the principal law enforcement agencies of the federal government as the department of justice, the department of home land security and the United postal service. The jurisdiction of the federal law enforcement agencies is limited to the government's power to regulate interstate commerce impose taxes and enforce constitutional and federal laws. The department of justice agencies, includes the Federal Bureau of Investigation (FBI), who deal with Bank robberies, kidnapping, terrorism, and violation of federal laws and provide training, identification, and laboratory services to the police, the Bureau of Alcohol, tobacco, fire arms and explosives. Thomas has submitted that since Nigeria got independence, the national security architecture remains structurally defective with damming consequences for management of crime and insecurity at the grassroots. There is near absence of governors in the constitutional bodies that manage our security from national Defence Council, National Security Council and the appointment and control of personnel in the security departments. This has made the management of insecurity a daunting task. The Governor of Benue State Hycinth Iormem Alia in company of his brother governors on a courtesy call on the plateau on the unprovoked attacks on the people of Bokoss and Danladi Local Councils of Plateau State called on his fellow governors to craft a United strategy by Benue, Nassarawa, Niger and Plateau States to check the menace of attacks on border communities⁴¹. The research recommends the American model to be adopted in Nigeria for affective heading national security issues.

7. Conclusion

Insecurity has assumed a global dimension; threats are multifaceted although socio-political policies have been advanced and strategies adopted in tackling same. These threats to National security persist. One dimension that has not been put on the table is the legal challenge. Since there is no balance in the political and security architecture in our federal system, we will continue to get it wrong. As long as true federalism continues to elude us so shall the national security threats will continue to stay with us and even multiply. There is therefore an urgent need to amend our laws and give more powers to state in terms of control of the security architecture.

³⁴ Section 3 of the Fire Arms Act, 1959.

³⁵ Bolaji Ogundele in the Nation Newspapers wrote on Federal Government Alleged Favouritism to Katsina State when the National Security Adviser Criticised the Formation of Amilekum by South-West Governor. The www.Nationonline.ng/authors (last accessed 20/11/2023).

⁴⁰ Antom *Op Cit*.

⁴¹ Hembadon Orsar 'Unite Against Terrorism, Alia Tells North Central Governors' available at www.leadership.ng/united-against (last accessed 6/01/2024).