

CRIME, SECURITY CHALLENGES AND TERRORISM IN A DIGITAL AGE

Chijioke Sunday Ogbodo

Faculty of Law, University of Nigeria, Enugu Campus

Email: copsupa@gmail.com

Abstract

The desire of mankind has always been, to live in a world devoid of crime, security challenges and terrorism. In order to achieve this, various security agencies are always put in place by any serious government. In this digital age effort is always intensified to nip crimes and criminality in the bud. Sophisticated security gadgets, intensive and periodic training and re-training are also provided to ensure that we live in a "crime free world". Reason for this is not far-fetched. Aside from the fact that all round success can only be achieved in a relatively "crime free environment", security has become a necessary condition precedent for achievement of any meaningful and reasonable success in all human activities. However, social deviants and those who delight in crime and criminal activities have always posed serious security challenges in any environment they found themselves. Criminal activities tend to destroy the peace of the world. All over the world efforts are always on the increase to checkmate the activities of criminals. Unfortunately, criminals being aware of the plans to stop them tend to device means to ensure that they stop those coming to stop them. Hence criminal activities have become of great concern to humanity. This study will look at issues in crimes, security challenges and terrorism in a digital age. This study encourages security agencies to brace up to the challenges of crimes to humanity. Finally, recommendations were made for a way forward.

Keywords: Crime, Security Challenges, Terrorism, Digital Age.

Introduction

Definitions, they say, are odious and that is why, in defining words, even lexicographers, who are unarguably the masters of the art of definitions, usually adopt a careful approach; they lead the investigator to the various sides of the word thus ensuring that as many as possible of their implications are revealed to him. Lexicographers thus admit the fact that concise and precise definitions of words are very, very difficult to come by, since practically every definition has an inherent defect.¹ Crime, criminal activities, criminality and the like are words commonly used in every part of the globe, yet they attract divergent definitions from various authors as a result of the complex nature of the words. Infact, it is almost impossible to give a complete definition of crime. It varies among various authors. According to Curzon,² crime is:

Any act or omission resulting from human conduct which is considered in itself or in its outcome to be harmful and which state wishes to prevent, which renders the person responsible liable to some form of punishment as the result of the proceedings which are usually initiated on behalf of state and which are designed to ascertain the nature, extent and the legal consequences of that persons responsibility.

Tapen,³ in his own view, defines crime as intentional act or omission in violation of criminal law, committed without defence or justification and sanctioned by the State as a felony or misdemeanour. Crime is also seen as any act or conduct of an individual or group of an individual or group in violation of criminal law. Such that the act or conduct must violate the criminal law of a State. If the act or conduct does not violate the criminal law of a State, then the act or conduct does not constitute a crime.⁴

¹ C. E. Ezeugwu and Tom Inyama, *Thinking and Reasoning an introduction to logic*, [Enugu: Rhema publications, 2004].

² L. B. Curzon, *criminal law* (London: Macdonald and Evans, 1973) p. 11, quoted in F. I. Asogwa and S. N. Anya *Criminal justice and Human Rights Law in a globalised system* (Enugu: Ezubooks ltd, 2011) p. 306.

³ P. W. Tappan, *crime, justice and correction* (New York: McGraw Hill Book co. 1960) p. 10.

⁴ E. U. Igbo, *introduction to criminology* (Nsukka: Afro-Orbis publishing limited, 1984) p. 9.

Crimes are defined mainly for the purposes of punishment and procedure. It is an act done or certainly refers to things not done the nature of which offends or violates the law of the land and for which punishment is meted to the offender. Russel⁵ on crime says that “a crime is an act or omission involving breach of a duty to which by the law of England a sanction is attached by way of punishment which must be and are usually in the interest of the public.” Cross and Jones⁶ on their own perspective on crime, saw crime as “a legal wrong the remedy for which is punishment of the offender at the instance of the State”.⁷ Fakayode,⁸ quoting Russel on crime, says

A crime is an act or omission involving breach of a duty to which by the law of England a sanction is attached by way of punishment in the public interest, and for which the ordinary remedy is by indictment.

Okonkwo C.O. opines in his definition of crime that:

Crimes are those breaches of the law resulting in special accusatorial procedure controlled by the state, and liable to Sanction over and above compensation and costs.⁹

Crime and offence are used interchangeably under our legal jurisprudence. Infact in attempt to define crime in Nigeria offence was used in place of crime and defined. Flowing from that our criminal code law¹⁰ states that:

An act or omission which renders the person doing the act or making the omission liable to punishment under this code, or under any act, or law, or statute, is called an offence.

Despite the fact that crime and offence are used interchangeably as evidenced in the definition of crime in our criminal code. Yet, the words-crime and offence were conjointly used as one word in the constitution¹¹ of the Federal Republic of Nigeria, 1999 thus:

Subject as otherwise provided by this constitution, a person shall not be convicted of a criminal offence unless that offence is defined and penalty therefore is prescribed in a written law, and in the subsection, a written law refers to an Act of the National Assembly or Law of a State, any Subsidiary Legislation or Instrument under the Provision of a law.

One of the famous American writers who even authored the Blacks Law Dictionary Henry Campell Black defines crime as: a positive or negative act in violation of penal law, an offence against the state or United States.¹²

Smith and Hogan, define crime as follows:

An attempt to define a crime at once encounters a serious difficulty. If the definition is a true one, it should enable us to recognize any act (or omission) as a crime, or not a crime, by seeing whether it contains all the ingredients of the definition. But a moment’s reflection will suffice to show that this is impossible. When parliament enacts that a particular act shall become a crime or that an act which is now criminal shall cease to be so; the act does not change in nature in any respect other than that of legal classifications. All its observable characteristics are precisely the same before as after the statute came into force. Any

⁵ 11th edition p. 1.

⁶ Introduction to criminal law 6th edition p. 9.

⁷ In F. O. Fakayode, the Nigerian criminal code companion, Ethiope publishing corporation Benin Nigeria, 1977 p.1.

⁸ Ibid p. 11.

⁹ C. O. Okonkwo, criminal law in Nigeria (Ibadan: spectrum books, 1980)p. 20.

¹⁰ Section 2.

¹¹ Sec. 36 (12)

¹² (West publishing, USA, 1990 6thedn.) P. 370.

attempt at definition of a crime will thus either include the act at a time when it is not a crime; or exclude it when it is.

The description here also shows the difficulties encountered by the numerous authors who have defined crime in various ways.

Smith and Hogan further illustrated their points thus:

Suicide was a crime until 3rd August 1961, when by the suicide Act, 1961, it became perfectly lawful to kill oneself. Homosexual acts committed in private by male persons who have attained the age of twenty-one were offences until 27th July, 1967 when by the sexual offences Act, 1967, such acts became permissible. The nature of the acts in question, their morality or immorality and their consequences do not change overnight; but their legal nature does.

The efforts of authors to define crime is endless. Despite the fact that crime has attracted various shades of meanings from divergent views chronicled by retinue of authors the fact remains that a crime has the following characteristics:

- i. it is an act or omission;
- ii. It is proscribed by the state; and
- ii. It attracts punishment whenever committed.

No matter how crime is described or defined the above ingredients must be contained therein otherwise the description or definition may be referring to something else. The penal code and the criminal code used the word "offence" instead of crime. Criminal is an adjective derived from crime. The word criminal was used in the constitution instead of the word crime. Infact, the constitution referred to it as criminal offence.

Crime rate has been on the increase in Nigeria due to factors like youth unemployment, bad governance, paucity of youth friendly policies and so on; Nigeria as a common law country practices accusatorial system of adjudication. Under this system the innocence principle often referred to as presumption of innocence reigns supreme and is duly accorded primacy and fully practiced. This is because it is safer and better to allow many suspects to go scot free than to punish one innocent person.

The imported English system usually override the indigenous Nigeria criminal justice system. Infact both are always engaged in fundamental disagreements. Often, these disagreements leads to confusion among the citizens such that the actual behavioural pattern and standard acceptable in the society becomes shrouded in uncertainty. Emile Durkheim and Robert Merton, respectively, explained, that the uncertain or weakened standard usually breeds anomie (normlessness), which makes a condition ripe¹³ for crime in an environment, crime thrives in an environment with security challenges and could escalate to terrorism especially in a digital age. Crime affects the interest of the society usually hence the reason criminal proceedings are controlled by the state. Crime is crime no matter how minute it is. The content of crime which leads to criminal law vary from place to place in some cases. To buttress this point, in Nigeria for instance, drinking of alcohol and adultery are not offences/crime in the Southern part of Nigeria while these acts are offences punishable¹⁴ in the Northern part of the country. For an act or omission to constitute crime, it must be written and punishment prescribed.¹⁵ Anything short of that is at best moral wrong and not of concern to our (Nigerian) criminal jurisprudence.

Classification of Offences/Crimes

Offences are generally classified into three considering the nature and types of punishment each offence attracts. For emphasis, offences are classified into felony, misdemeanor and simple offences. Note

¹³ Stephen E. Brown, Finn-AageEsbensen and Gilbert Geis, *criminology: Explaining crime and its context* (Anderson publishing, Cincinnati, Ohio USA 1991).

¹⁴Adultery for instance is punishable in the North but not so in Southern Nigeria

¹⁵See Sec. 36(12) of the constitution, Federal Republic of Nigeria, 1999 as amended

worthy is the fact that offences are also classified in terms of procedure and for the purposes of punishment. Going by the purposes of trial we have indictable¹⁶ and non indictable offence. However, this second type or classification of offences need not detain us here as emphasis shall be made on the former classification of offences¹⁷viz-

Felony:- This is one of the ways offence can be classified going by the type of punishment it attracts. By way of definition, a felony is said to be any offence declared by law to be a felony and punishable, without proof of previous conviction, with death or with imprisonment for three years or more. Felonious offences are at the apex in the hierarchy of the classification of offences. Proof of previous conviction is not required. Once prosecution proves the instant case beyond all reasonable doubt the burden of proof placed on prosecution is said to have been discharged. Punishment for felony may be death sentence or imprisonment for three years or more. Some of the examples of offences classified as felony are murder, rape, treason, arson, kidnapping, manslaughter, terrorism, drug offences, currency offences, stealing, fraud, perjury, abortion, receiving stolen property and robbery to mention but a few. **Misdemeanour:** This second type of classification of offence by punishment is any offence declared by the law to be a misdemeanor, or punishable by imprisonment for not less than six months, but less than three years. Examples of misdemeanor are forcible entry to land which attracts one year imprisonment, affray.

Simple offences: All offences other than felonies and misdemeanor are called simple offences. Usually, the punishment here is less than six months. In United States of America (USA) offences are classified into three: felonies, misdemeanor and infractions. This appears to be similar with the Nigerian classification the reason is probably because the two countries were former British colonies.

In the USA, “whoever, having knowledge of the actual commission of a felony cognizable by a court of the USA, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the USA, shall be fined under this article or imprisoned not more than three years or both”¹⁸.

In USA capital punishment otherwise known as death sentence is practiced in 27 out of the 50 states while it is abolished in the remaining 23 states. The USA court however, affirmed the legality of capital punishment in 1976 – case of Gregg v Georgia.¹⁹ The decision in the instant case ended the default moratorium on the death penalty imposed by the court in its 1972 decision in Furman v Georgia.²⁰

In 2019 the Donald Trump administration’s Department of Justice proclaimed its plan to resume executions for Federal crimes and one Daniel Lemis Lee was the first inmate to be executed by the Federal government of the USA since 2003²¹. He was executed on July 14, 2020.

Crime is crime and punishable by law no matter the jurisdiction of its occurrence. Crime and criminal activities have proven to be the greatest challenges of the 21st century. Its overwhelming negative influences on human activities cannot be forgotten in a hurry. Incidents of crime destroy the peace of the world and account for the greatest number of lose of lives and properties. In comparison with civil wrongs, criminal activities attract court sentence to a term of year or years of imprisonment while civil wrongs attract the award of compensation to the person who brought action in the civil proceeding (called the plaintiff). However, some criminals are usually not punished at all by the courts or not punished in due time. This occurs when the court records discharge but not acquitted on technical

¹⁶ Section 494 of the administration of criminal justice Act (ACJA) 2015. An indictable offence is an offence punishable by an imprisonment of more than two years or fine exceeding forty thousand naira. This type of offences are not punishable on summary conviction. Therefore, non indictable offences on the other hand are offences punishable with imprisonment of less than two years, a fine of less than forty thousand naira and is punishable by summary conviction.

¹⁷ Sec. 3 of the criminal code.

¹⁸ Section 4 part 1 of the USA criminal code.

¹⁹428 45 153 (1976).

²⁰ 408 U.S 238 (1972).

²¹ USA executes first federal prisoner, convicted of murder in 17 years “available at www.ndtv.com accessed May 3, 2022.

grounds such as in an improper charge. In such case the accused could be re-arrested and proper charge framed.

Undoubtedly, due to the decay in the system, such a person discharged may not be arrested immediately or may never be arrested again for prosecution thereby defeating the ends of justice.

Crime is crime no matter how minute the act or omission which constitute crime may appear. A man who steals a goat is punished just as a man who steals a car. Hence it is worthy to assert at this juncture that the object of criminal prosecution is punishment. To have a firm grasp of the functions of criminal law an English committee²² puts it succinctly as follows:

- i. To protect the citizen from things that are offensive and injurious
- ii. To preserve public order and decency and thirdly
- iii. To provide sufficient safeguards against corruption and exploitation of the weak members of a given society.

Unarguably, certain acts may not be criminal acts and as such may not attract punishment at a time but may amount to crime after some years for instance the killing of twins and slavery were legally, socially and to some reasonable extent morally permissible some 200 years ago. However, both are now serious criminal offences punishable by law.

In Nigeria criminal jurisprudence the accused person however, is presumed to be innocent until proven guilty.²³ This innocence principle is to the effect that even when a person is caught “flagrante delicto-caught in the act that person is not guilty until he is tried and found guilty by a court of competent jurisdiction. Crime takes various forms and is always increasingly on a dangerous trend. Once an individual drifts from the societal norms in the quest to “meet up” the next thing is imminent, criminal activities. Before now, most people in the developed parts of this world had relatively little or no contact with crime and criminal activities, however, in recent times, the reverse is the case. Crime and criminal activities now thrive in the most developed Western cities. In this category is cybercrime, crypto currencies and likes. War is only one form of violence, which is physical, open and direct. But there is another form of violence that is not immediately perceived as such. This has to do with social conditions²⁴ such as poverty, exclusion, intimidation, oppression, want, fear, lack of employment, poor education standard, tribalism, god fatherism, religious intolerance and other factors that can as well trigger crime and criminal activities in any given human society.

Elements of crime: Legally speaking, an offence or crime is made up of two elements – The physical element. This has to do with the thing done or not done which constitutes an element of particular crime. It is called the “actus reus”. Actus – a deed and or an omission and this is physical, noticeable while “reus” means forbidden by law. It follows that actus reus are those human conducts forbidden by law.

Both the mental element and the physical element do combine before a crime is committed. The mental elements are the intentions, the inward preparations and thoughts, the guilty intents which is later manifested and carried out physically when the crime is committed. Years before 1554 offenders can conveniently be convicted of strict liability in other words by mere presence of Actus reus without more, one can be convicted. However, much later, Lord Justice Kenyon in propounding and propagating that both the “actus reus” and mens rea” must combine together to form an offence puts it succinctly thus:

“It is a principle of natural justice and our law, that” actus non facit reum nisi mens sit rea” which simply means that no act can be said to be an offence except accompanied also by a blameworthy state of mind”.²⁵

²² A committee on homosexual offences and prostitution known as Wolfenden committee that stated the functions of criminal law. The report put together by the committee in 1957 has 155 pages and recommended that ‘homosexual behavior between consenting adults in private should no longer be considered a criminal offence.

²³ Section 36(5) of the constitution of the Federal Republic of Nigeria, 1999 as amended

²⁴ SG Best, introduction to peace and conflict studies in West Africa (Ibadan: spectrum books ltd 2009) p. 3&4.

²⁵ (1798) 7. T.R 509.

Ever since the above dictum was made, it has been the law that both elements combine before an offence is committed except in some few cases of strict liability where you need not prove intention but the actus reus.

Finally, crime seems inevitable in human affairs. However, what matters most shall be the level of preparedness of the security agencies to either prevent it or contend with it when it finally occurs.

Crime as earlier stated has tripartite parts in its definitions namely

- i. It is an act prohibited by the law of the land
- ii. It is punishable upon commission and
- iii. It is injurious in the state

An argument against the third point may be sustainable. For instance how can crime of stealing of a personal property belonging to an individual become injurious to the state or public welfare? What becomes the remedy to the actual owner of the stolen property? It does appear that, the object of criminal trial is to punish the offender for crimes committed. The consolation is that the victim can take up civil suit in some instances. The point or bone of contention in the definition of crime is the failure to recognize the victim of the crime who experienced the actual harm caused by the crime.²⁶ Crime and criminal activities have become the albatross of this world.

Crime prevention strategies: Crime is an odious and forbidden act that affects the society. The society is made up of people living together in a more or less ordered community or an organization or club formed for a particular purpose or activity. It is a community of people, as of a state, nation or locality, with common cultures, traditions and interests.²⁷ Crime prevention is therefore those strategies, concerted efforts and all preparations made by security agencies and non security agencies to prevent the occurrence of crime and criminal activities.

Community participation in crime prevention: Security is said to be everybody's business. Even the criminals take adequate security measure to ensure that they secure what they have stolen from others. Those in rural areas are encouraged to assist in crime prevention by providing information to security agencies. Good information from informants of repute are always accurate and helps the security agencies to take proactive measures to prevent crime. Since crime is committed in communities it follows that the members of various communities have roles to play in the onerous responsibilities to prevent crime. Many communities are now living up to such tasking and demanding responsibilities. In Enugu State for instance, you have the Neighbourhood Watch groups in many communities, the local or community vigilant groups, even at the state level forest guards have been formed. All are geared towards crime prevention. Inaccessible roads, lack of basic security tools, accommodation issues, poor or no network for effective communication are some of the challenges that have made it impossible for security agencies to be present in some communities. Recently too, some police stations have been merged thereby creating difficulties for those who are far from the Local Government headquarters to easily feel police presence. In view of the challenges, it is now the responsibilities of community leaders to take effective and positive bold steps in crime prevention. Community policing which arises as a result of the public distrust and inadequacies of those saddled with responsibilities to fight crime has been advocated as a modern crime prevention and crime fighting method that yield results. The idea is that since criminals live in our communities, those who live in such communities should be able to identify the criminals.

Security agencies in crime prevention and control: At the apex of maintenance of law and order in any given democratic setting is the police. Being the closest law enforcement agency to the members of the public the police security roles cover every segment of group social interactions in the society.²⁸ Aside from the police, the Navy, Army, Airforce, Civil Defence, Drug Law Agency, the correctional centres and so on are one way or the other involved in crime fighting in Nigeria. The police is the lead security agency in internal security. The police play the role of prevention, detection and prosecution

²⁶ R. Marris, from *Missery Justice to transformative justice* unpublished seminar paper delivered at ICCPA conference, Auckland in 1997.

²⁷ B. A. Garner 'Black's law dictionary Thomson west publishers p. 1425.

²⁸ O. C. Arisukwu, 'the influence of insecurity on socio-economic development in Ilorin metropolis, Kwara State, Nigeria, social science and humanities journal 14-37.

of crime. According to Muhammed (2002). The crime prevention efforts of the police are more in the urban areas than rural areas.²⁹ With respect, this assertion does not reflect the true realities on ground.

Security challenges:-The world is now said to be a global village. It is also referred to as a digital world. Digital technologies have increased stress on the dynamic between individual and societies freedom, the privacy rights of an individual is now pitched against state obligation to protect the citizens. Exhibition of certain human knowledge in production in some aspects has constituted serious security challenge and posed security threat of high magnitude to human existence. Breakthroughs in innovation certainly, have increased security challenges in various human affairs for instance those who designed the internet probably did that in a hurry looking at the positive aspects not knowing that such innovation will pose serious security challenge especially in the third world countries where negative ideas are learnt, developed and advanced without much ado. Today, cyber criminals make more money than legitimate workers. Infact, gullible legitimate workers, do work for cyber criminals and pay them heavily before realizing it. Security challenges are of global jurisdiction. It affects the entire world from the most developed countries of the world to the least developed ones. Security challenges have become more complex as a result of multiplicity of factors. Such factors are too numerous. The increase in asymmetric forms of non-state actors (terrorist networks) and the increasing role of more sophisticated and brutal forces have made security challenges complicated, and the security risk less calculable and less predictable.

Security challenges are therefore those conditions that make it difficult for security operatives to operate optimally. Issues bordering on security challenges are very critical for the success and progress of any serious minded nation. Those countries who understand the importance of security in the affairs of their governments, citizens and even international relations have since excelled.

Security challenges are hydra-headed monster: It is noticeable in all areas of security and entails wide range of risk. From the areas of cyber security, border security, environmental security, energy security to food security, challenges are imminent and must be tackled head on before any meaningful achievement can be recorded.

In Nigeria for instance the activities of the deadly Boko-haram, the IPOB, Niger-Delta military, the Sunday Ighogho led militant group in Yoruba land all constitute serious security challenges to the country. The efforts of the government in this regard seem not to be commensurate with that of those evil forces and that accounts for the reasons why the above mentioned security challenges have continued unabated. Simply put, those in authority may have been doing their best but their best seems not to be sufficient in the circumstance. It has been observed that the major challenge of Nigeria's national security for instance is containment of diverse manifestations of violence.³⁰ Nigerian security challenges are too numerous that it is now an utter misconception for the government to believe that only internal law enforcement agencies with domestic intelligence is required to surmount the myriads of security challenges starring the nation in the face. On the issues of security challenges, the whole world is faced with one challenge of security or the other. Even the super powers³¹ of this world are not left out. These actions or events leading to risky situations on individuals, states and even the world at large can be monitored through adequate, effective and efficient intelligence gathering.

However, the government at times tends to overlook certain threats until things get worst. For instance, the late Osama Bin Ladin was a serial law breaker who had penchant for threatening and carrying out his threats on the west. Unfortunately, the American government took the late Osama's threats and actual violence for granted until he made the world to cry. It is a truism to assert that Osama was eventually killed but the impact of his terror can never be forgotten in a hurry especially by the US Government. Six people were killed and more than 1,000 were injured in what was at that time the

²⁹ B. R. Muhammed, rural crime and rural policing practices (multi-cultural law enforcement).

³⁰ Prince Nweke and Tochukwu Stephen Nwachukwu, National Security issues and challenges in Nigeria: which way forward (2014)(1) International Journal of youth empowerment and entrepreneurship development 97.

³¹ France, UK, USA, Britain, China for instance

deadliest act of terrorism³² perpetrated on US soil. It was after the 9/11 terrorists attack on the US that president George W. Bush of US then initiated the war on “terror and subsequent war in Afghanistan. The late Osama Bin Laden founder the Pan-Islamic military organization called al-Qaeda. That was designated as a terrorist group by the United Nations Security Council, the North Atlantic Treaty Organisation (VATO), the European Union, and various countries of the world. Aside from the famous 9/11 attack on the US, the al-Qaeda terrorist group carried out several terrorists attacks in the 1990s, 2000s,³³ immediately after the popular 9/11 attack, America declared manhunt on Osama Bin Laden and wanted him “dead or alive”. After the 9/11 attack the US increased counter terrorism funding and training available for Africa, and ushered in, a period during which Washington – once again – sought to remove administrations it suspected to have harboured or supported terrorism. The 9/11 attack changed the world but not the way the world expected, certainly not. And after that the al-Qaeda and ISIS that used Afghanistan as a common group have never known peace eventhough in their usual stubborn nature they still unleash terror to humanity all over the world from time to time. The ISIS and al-Qaeda are of international terrorist class, well sophisticated in evil ideas and terrorism – with all weapons of mass destruction like great guns, bombs, dynamites to mention but a few.

Admittedly, series of difficulties are encountered in defining terrorism. As such, both the old and modern definitions of terrorism are inherently controversial. Governments at times use violence to achieve their aims yet, when defining terrorism such acts of violence are cleverly avoided to exclude governments involvement in terror attacks. The United Nations (UN) member states for instance have no generally acceptable definition of terrorism. Some have even called terrorism freedom fighting act or an act of freedom fighting. However, terrorism has been defined in some places. For instance, terrorism was defined as:

Any act or threat of violence, whatever its motive or purposes, that occurs in the advancement of an individual or collective criminal agenda and seeking to sow panic among people, causing fear by harming them, or placing their lives, liberty or security in danger, or seeking to cause damage to the environment or to public or private installations or property or to occupying or seizing them, or seeking to jeopardize national resources.³⁴

The security council of the UN defines terrorism as:

Criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act.³⁵

Again, a UN panel described terrorism as any act “intended to cause death or serious bodily injury to civilians or non-combatants with the purpose of intimidating a population or compelling a government or an international organization to do or abstain from doing any act.”³⁶

Also in United Kingdom (UK)³⁷ terrorism is defined to include an act “designed serious to interfere with or seriously to disrupt an electronic system”. An act of violence is seemingly, not even necessary under this definition. However, an electronic system is not defined and that is the greatest challenge on this.

³² The main conspirators were Ahmad Ajaj and Ramzi Yousef.

³³ Magbool, Aleem (May 1, 2011). “Osama Bin Laden, al-Qaeda leader dead – Barack Obama” BBC News Archived from the original on February 4, 2015, retrieved May 12, 2022

³⁴ The Arab convention for suppression of terrorism, adopted by the council of Arab Ministers of the interior and the council of Arab ministers of justice in Cairo, Egypt in 1998.

³⁵ Resolution 1566 (2004).

³⁶ This panel of UN gave the definition on March 17, 2005.

³⁷ The United Kingdom’s Terrorism Act 2000.

According to the United States (US) Army manual terrorism is the calculated use of unlawful violence or threat of unlawful violence to inculcate fear. It is intended to coerce or intimidate governments or societies ... (to attain) political, religious, or ideological goals.³⁸

Terrorism activities have also been listed to include the following:

- Threatening, conspiring or attempting to hijack airplanes, boats, buses or other vehicles.
- Threatening, conspiring or attempting to commit acts of violence on any “protected” persons, such as government officials
- Any crime committed with “the use of any weapon or dangerous device”, when the intent of the crime is determined to be the endangerment of public safety or substantial property damage rather than for “mere personal monetary gain.

Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a Government, the civilian population, or any segment thereof, in furtherance of political or social objectives.³⁹

Terrorism is a crime. Infact, it is a crime of high magnitude. All terrorism are crime but not all crime is terrorism. In Nigeria for instance kidnapping, hostage taking, armed robbery, bomb, gun and other dangerous lethal weapons attack like banditry are some of the recognized terrorist attacks that have kept the entire population asleep with two eyes open. Infact, the activities of terrorist in the world in general and Nigeria in particular have led to monumental loss of lives and properties, wanton destruction of innumerable means of livelihood and the likes.

Boko Haram as terrorist group

The evil called boko Haram insurgency has dealt a great blow to Nigeria and Nigerians. going by the definition of terrorist group or terrorist organization, there is no gain saying that boko haram falls under the category. The dare devil group led by late Mohammed Yusuf is made up of different organized criminal terrorist groups. At times they do have leadership crisis. Efforts by the Nigerian forces to tame and defeat this group with highly sophisticated weaponry have proved futile till date. Their operation is mainly in the Northern part of Nigeria, especially, Borno, Adamawa and Yobe states. The boko haram sect unleash terror on Nigerians however such crimes cannot for now be investigated and prosecuted at the international criminal court (ICC) because Nigeria is yet to domesticate the Rome statute.⁴⁰ It is not just appalling but quite unfortunate too that an international court of ICC magnitude lacks the jurisdiction to try such crime by the insurgents. As a result of those jurisdictional issues it is now a question as to the capacity of the ICC to effectively deter future crimes and criminal activities.⁴¹ It seems to me that there are very difficult and strong political and legal problems hindering the implementation of the ICC statute in Nigeria⁴² however, the opiniojuris in Nigeria supports punishment for those that violate the ICC statute.⁴³ Unless and until drastic measures are taken against those hoodlums they will continue to mess up.

Conclusion

Crime, security challenges and terrorism are raging on all over the world. Approaches adopted to fight crime have yielded some positive result though seemingly not adequate. Lack of modern crime fighting equipment is also a security challenge or encourages security challenges in this age. The study finds that inter-agency cooperation – synergy among the security forces, training and retraining of security agencies, reward for outstanding performance, local and international security courses, improvement of

³⁸ U.S Army field manual No. FM 3-0, chapter 9, 37 (14 June, 2001)

³⁹ This definition was made by the Federal Bureau of investigation (FBI) this is the domestic intelligence and security service of the US and its principal federal law enforcement agency with headquarters at Washington DC. The founder is Charles Joseph Bonaparte.

⁴⁰ SN Anya, MC Anozie and JF Olorunfemi, ‘Amid domestication and afriexit: wither Nigeria and South Africa on the international criminal court’ (2020)46(1) common wealth law Bulletin 1, 26.

⁴¹ D. Wippman, ‘Atrocities, deterrence and the limits of international justice,’ (1999)23 fordham international law journal 473.

⁴² A Isau, ‘the international criminal court (ICC); jurisdictional basis and status’ (2015) NnamdiAzikiwe University journal of international law and jurisprudence 34, 39.

⁴³ MT Ladan, ‘An overview of the Rome statute of the ICC jurisdiction and complanentarity principles and issues in universality of sustainable domestic implementation in Nigeria’ (2013). AfeBabalola policy 37, 53.

the conditions of services, abandonment of favouritism, godfatherism and nepotism tendencies are some of the ways to ensure that crime, security challenges and terrorism are drastically reduced in this digital age. It is imperative for security forces to work together in the fight against crime. The idea of abandoning security issues for one security agency should totally be discountenanced with after all "security is said to be every man's business" when this is done crime, security challenges and terrorism shall be brought to the barest minimum as they cannot be totally eradicated in this digital age.

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