



**NIGERIA AND THE CHALLENGE OF INSECURITY: THE LAW AND
LAWYERS AS PANACEA**

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1.0 PROTOCOL

2.0 INTRODUCTION

It is my pleasure to be a part of this auspicious four-in-one event which marks the official commissioning of NBA Owo Bar Complex, the grand finale of the 2021 Law Week Celebration of the branch, the launch of essays in honour of, and the 65th birthday anniversary of our indefatigable, amiable and performing Governor, His Excellency, *Arakunrin* Oluwarotimi Odunayo Akeredolu, SAN, and a past President of the NBA who is also the grand patron of the branch. I say our Governor because I am also a son of the soil being the *Bobajiro* of Akure Kingdom. I am privileged to be here as the guest lecturer of this ceremony themed: “**Nigeria and the Challenge of Insecurity: the Law and Lawyers as Panacea**”. I acknowledge and commend the efforts of the executives of the branch and the organizers of this great event for their innovation as well as their choice of theme which I consider apt. The insecurity challenge that Nigeria faces today has been a nightmare and an unending challenge. I hope that this paper further deepens our understanding of the existing discussions on the security challenge in Nigeria as well as provide an opportunity for cross-fertilization of ideas in a bid to make Nigeria a better and safer place for us all.

It is not in doubt that the issue of insecurity is generally a global phenomenon and a major impediment to the realization of a nation’s growth and development. This is to say that, insecurity is not limited or peculiar to Nigeria but is a global challenge that is rapidly stunting the development and progress of nations’ core productive and sensitive sectors - particularly developing nations like Nigeria. Security entails stability and continuity of livelihood, predictability of relationships, feeling safe, and belonging to a social group. It is the state of safety in which citizens are free from any threats to their life and means of livelihood, free from bodily harm, diseases, unemployment, and human rights violations wherever they may find themselves within a sovereign nation. This is done generally by upholding the national law and defending against internal security threats. Those responsible for internal security range from police to paramilitary forces, and in exceptional circumstances, the military.

It is pertinent to recognize that where there is insecurity, there is no peace, freedom, or orderliness. The present situation in the Country paints a sorry picture for the nation and its citizens. Furthermore, the image of the nation has suffered serious stigma in the international community because of a variety of factors which include Nigeria being rated as one of the most unsafe countries to live in or do business. As I attempt to establish the nexus between the law and lawyers as an efficient tool to mitigating insecurity and sustaining peace, it is important to mention that the legal profession has the primary responsibility to ensure that justice is readily available to all and sundry.

3.0 CONCEPTUALIZATION OF KEYWORDS

3.1 Insecurity

The word “insecurity” has a myriad of connotations. It signifies danger, hazard, uncertainty, a lack of protection, and a lack of safety. According to Beland (2005), it is the state of fear or anxiety stemming from concrete or alleged lack of protection. It refers to a lack of or inadequate freedom from danger. In essence, insecurity is an absence of peace, order, and security. Achumba, Ighomeroho, Akpor (2013) define insecurity from two perspectives. Firstly, that insecurity is the state of being open or subject to danger or threat of danger, where danger is the condition of being susceptible to harm or injury. Secondly, that insecurity is the state of being exposed to risk or anxiety, where anxiety is a vague unpleasant emotion that is experienced in anticipation of some misfortune. These definitions of insecurity underscore a major point that those affected by insecurity are not only uncertain or unaware of what would happen but they are also vulnerable to the threats and dangers when they occur.

Insecurity can be in different forms. They include:

- i. Job insecurity
- ii. Food insecurity
- iii. Political insecurity
- iv. Economic insecurity
- v. Financial insecurity
- vi. Social insecurity
- vii. Health insecurity
- viii. Environmental insecurity
- ix. Religious insecurity
- x. Moral insecurity
- xi. Emotional insecurity

My understanding of the theme as composed by the organizers of this event is that it is their intention for me to discuss the above in light of the prevailing insecurity of lives and property and hence the dimension I have adopted for this paper.

3.2 Security

The concept of security has been given many interpretations and expositions by scholars and security experts. It has been defined to mean the protection of a person, building, organization, or country against threats. It has also been defined as the quality or state of being secure and free from danger, anxiety, and the prospect of being laid off. Security can be referred to as freedom from, or resilience against potential harm (or other unwanted coercive change) caused by others. The modern view of security has been reshaped and redefined to encompass not just freedom from physical violence, but to include the material wellbeing of individuals, including environmental health.

3.3 Panacea

Panacea has been defined by Merriam-Webster dictionary *as a remedy for all ills or difficulties*. It has also been defined as *something that will solve all the problems of a particular situation*. It is not synonymous with *palliative*. It is evident that to view something as a panacea entails that that particular thing completely takes care of the problem. Whether the law and lawyers can be a panacea to the insecurity challenge in Nigeria is debatable.

4.0 HELICOPTER VIEW OF THE PREVAILING INSECURITY IN NIGERIA

Nigeria in recent times has been trailing through periods of insecurity of lives and property as well as disregard for the rule of law, natural justice, and human dignity. Nigeria has witnessed a high level of insecurity in recent times and the nature of insecurity has since been regionalized: militia groups in the south; insurgency and banditry in the north; kidnapping in the east and south; ritual killings in the east and west. As of today, road travel in most parts of Nigeria is an attempt at suicide. Insecurity in Nigeria is a matter of great concern. The 2020 Global Terrorism Index (GTI) ranks Nigeria as the 3rd most terrorized country in the world, only after Afghanistan and Iraq. Killings and abductions are gradually becoming the norm.

Very recently and specifically on Tuesday, June 13, 2021, the leadership of the House of Representatives, Federal Republic of Nigeria submitted the report of its Special Committee on National Security to President Muhammadu Buhari. The report - as published in a statement signed by Lanre Lasisi, Special Adviser on Media and Publicity to the Speaker, House of Representatives, Federal Republic of Nigeria - contained far-reaching recommendations by the committee on how to tackle the growing insecurity in Nigeria. The report, broken into two major categories, has seven (7) recommendations for legislative actions and nineteen (19) others for executive actions. The seven (7) Legislative Actions adopted by the House are listed below:

1. Set a declassification period and process (backed by law) for security votes.
2. Establish development commissions across all six (6) of Nigeria's geopolitical zones.

3. Strengthen the Federal Character law, to ensure better and more vigorous enforcement and implementation.
4. Establish an interventionist agency (or add to the role of an existing Agency) to identify and provide little investment and sustenance opportunities to ex-convicts, jobless youths, discharged but indigent military and paramilitary personnel, among others.
5. Establish a national transitional justice framework. The absence of a unifying Transitional justice framework remains a challenge in addressing Nigeria's intractable conflicts.
6. Invite representatives from Google, Facebook, Instagram, WhatsApp, and Twitter to a special dialogue to discuss a voluntary Platform Regulations framework that centers the need for platforms to have content regulation policies themselves that are well designed and consistently enforced in Nigeria.
7. Resolve legislatively, the crisis of overlapping mandates amongst the various security-related agencies.

Similarly, for the executive actions, 19 recommendations were passed by the House for immediate action. While the initiative is a very laudable one, it is pertinent to note that Nigeria at this point is in a dire need of implementation of its laws on security. What are the efforts that are being made to ensure that the existing laws on security are in good shape and truly in force? What are the efforts being made to ensure that the necessary amendments are made to our existing laws to ensure that they are up to date and standard to cater to the dynamic society?

Section 14(2)(b) of the Constitution of the Federal Republic of Nigeria (as amended) provides that “*the security and welfare of the people shall be the primary purpose of government...*” but the insecurity in many parts of the country is quite alarming.

You can agree with me that the intent of the Constitution as captured above has not been realized. I have a self-imposed duty to preach the gospel at every gathering of Learned Minds as yourselves that as *the process for alteration of the CFRN is ongoing, we must continue to speak to our elected representatives at the National Assembly to critically consider, for the sake of national cohesion, integration, and prosperity of the country, various workable proposals already submitted in the course of public hearing recently conducted. The era of standing aloof watching our legislators do as it pleased them is over, now it is time to get involved.*

Charity begins at home. Speaking for myself, I have paid my dues by submitting memoranda to both red and green chambers of the National Assembly, which contains my

recommendations concerning areas of the Constitution that I consider in need of amendment.

5.0 CAUSES OF INSECURITY

A plethora of factors has been attributed to have contributed to the magnitude of insecurity in Nigeria. Many erudite scholars have identified several causes of insecurity in Nigeria that are inimical to socio-economic growth and development. They have identified the following as some of the major causes of insecurity in Nigeria:

- a. Bad leadership/Abuse of power
- b. Unemployment/Joblessness
- c. Poverty
- d. Jobs Racketeering
- e. Corruption/Impunity
- f. Weak Judicial System
- g. Illiteracy
- h. High Influx of Arms and Ammunitions
- i. Illicit Drugs
- j. Cultism

6.0 IMPLICATIONS OF INSECURITY

The following have been identified and set out by Professor F. O. Okpata and T. B. Nwali in their paper “Security and the Rule of Law in Nigeria” as the far-reaching implications of insecurity and non-respect for rule of law on the development of Nigeria:

1. ***Unprepared Development Diversion:*** Every government has a number of strategized programmes and projects to implement at a given point in time for the good of the people. However, when there is serious security threat, the government will have to face the reality on ground. To achieve this effectively, the attention of government would be diverted unprepared. Therefore, the negative effects of this diversion would take more than necessary time depending on the degree and nature of the threat and insecurity of the threat in place.
2. ***Reduction/Stagnation of Development Programmes:*** A serious implication of insecurity on development is the reduction and/or stagnation of development programmes and projects. This happens when the state of insecurity becomes a threat on leadership, leading to leadership failures. When there is threat on security, leadership in attempt to get rid of the problem would abandon some other projects notwithstanding their importance to the people.

3. ***Loss of Government Revenue:*** *Production and services are mostly affected by any threat of insecurity. This is because production in major industries is stopped until normalcy returns. This of course could lead to loss of huge amount of money accruable to government. This however affects effective implementation of projects financially. Thus, Akpuru-Aja (2007) notes that Nigeria lost 7.9 billion naira daily to Niger Delta crisis in oil revenue as a result of restiveness in the region.*

4. ***Stagnation of Development Indicators:*** *Most times, threats to security leads to destruction of lives and property such as buildings, government installations, cares, factories etc. It should be accepted that replacement of the affected property take much time than necessary and in most cases the vacuum created remains unclosed thereby creating scenario of development stagnation on the affected areas.*

5. ***Social Vices Multiplying Effects:*** *This occurs as a result of frustrations, hunger, hardship etc. which the inhabitants of conflicting communities are subjected to. For example, a person or group of people may as a result of frustration indulge in such acts as prostitution, stealing armed banditry, human trafficking, kidnapping and physical violence as evident in the activities of the Boko Haram and Niger Delta militias.*

7.0 THE LAW AS PANACEA TO INSECURITY IN NIGERIA

In order to do justice to the above, I will examine same under three sub-topics: The Law; The Role of the Judiciary; and the Role of the Bar as a body.

7.1 The Law

According to Black's Law Dictionary, the law may mean the regime that orders human activities and relations through the systematic application of the force of politically organized society, or through pressure, backed by force, in such a society. Simply put, it is the aggregate of legislation, judicial precedents, and accepted legal principles. To a layman's understanding, however, the law represents that societal entrenched rules or set of rules having binding effects.

The rule of law aims to limit and check the arbitrary, oppressive, and despotic tendencies of power, and to ensure the equal treatment and protection of all citizens irrespective of race, tongue, class, status, religion, place of origin, or political affiliation. It implies a legal framework that is fair, impartial (particularly concerning human rights, public security, and safety). Authority is legitimate if there is an established legal and institutional framework, and if decisions are taken per the accepted institutional criteria, processes, and procedures, there will be a smooth running of the system.

In every country, a national constitution articulates the vision of the society, defines the fundamental principles by which the country is organized, and distributes power within it. A government operating under a written constitution has no more power than is granted to it by the constitution, either expressly or by necessary implication. The idea of a constitutional democratic government or constitutionalism and the rule of law connotes a government-defined, regulated, and limited by supreme law. The doctrine of the Rule of Law is to the effect that no one is above the law. In Nigeria, the Constitution is the supreme law of the land and the *grundnum* of all laws. Section 1(3) of the Constitution provides that:

The constitution is supreme and its provisions shall have binding force on the authorities and persons throughout the Federal Republic of Nigeria.

I call for the restructuring and amendment of the Constitution particularly on the issue of policing. Section 214 of the Constitution provides for the establishment of the Police Force for the federation. This Section displays a system whereby the police are under the management and control of the Federal Government at the expense of the federating units – the State Government. However, this arrangement has so far not favoured the country. The Police have been faced with an avalanche of problems; these issues include the accountability of the Police Force and the high surge of crimes in different states of the country. The inability of the Police under exclusive Federal control to curb them poses a huge flaw to the federal arrangement. I believe that when policing is closer to the society of its jurisdiction, it enables the police to easily detect and uproot crimes. Where there is a common language known and understood by the police, there would be a free flow of communication and understanding between the police and the people. I believe that the creation of State Police will provide appreciable solutions to the current security challenge and enhance the effectiveness of the police in ending criminality in the country. In a bid to cater to their security, states and communities have created outfits that will aid in the protection of lives and properties. These outfits - *Amotekun* in the South West, *Ebubeagu* in the South East, *Hisbah* corps in Kano State as well as various other vigilante groups in the North - have proven stem down the level of insecurity in the country to some extent.

The Law can be a panacea to the challenge of insecurity because it encompasses the functions, duties, and obligations that all, especially those in power should follow to ensure good governance to ensure peace, justice, and rapid development of society. Chapter 2 of the Constitution has made provision for fundamental objectives and directive principles of state policy. These objectives although non-justiciable, provide a guide to any government in power in Nigeria and contain essential needs of the people in Nigeria on political, economic, social, educational, foreign policy, environmental, cultural, media, national ethics matters, and duties of citizens. The non-justiciable nature of Chapter 2 of the Constitution hinders its smooth implementation and enforcement because it deprives citizens of the locus to approach the court to enforce these objectives. This incites the

Government to disregard the objectives. Constitutional democracy is founded upon the notion of checks and balances where the legislature, the judiciary, and the executive while operating independently of one another, act to check each other's operations and balance each other's power. In essence, all three institutions are duty-bound to uphold the rule of law. The assumptions of the rule of law are not fully realized in Nigeria because of several factors which include: Ignorance of the Law; Existence of Class Society and Class Interests; Bureaucratic Redtapism; Cult Societies; High Cost of Litigation; and Manipulation of the Judiciary by Government in Power.

Law is also a tool for social engineering as its basic goal is to protect individual rights and liberties. The great scholar, Roscoe Pound, then Dean Emeritus of the Harvard Law School in a treatise wrote:

“Throughout the history of civilization, there have been abortive attempts to set up or to maintain a polity without law. Every utopia that has been pictured has been designed to dispense with lawyers. This has been manifest particularly in the ideal schemes imagined after Revolutions. The organized legal profession was abolished following the French Revolution. In each case, the attempt proved vain.”

Chief Afe Babalola, SAN opined that many abortive attempts have been made throughout the history of civilization to erect and or mention a law-free polity. Under the arrangements, lawyers were to be dispensed with. Further, he noted that this became more profound, especially after the French and Russian Revolutions, where Karl Marx particularly believed that the real function of law was to hold one class in subjection to another. Thus, as social classes disappeared with the abolition of private property, the law according to Karl Marx would “wither away”, a thought which has remained a mirage to date.

If the postulation above is anything to go by, it means that even law and by extension the legal profession has survived several attempts to undermine its usefulness in society. The modern criminal justice system as one would imagine is that which keeps society safe from the hazardous and deleterious effects of criminals and other lawbreakers. A crime-prone society guarantees among the populace, low productivity, strife, discord, lawlessness, and indiscipline. It is an invitation to the status of a failed state due to the plague of insecurity.

Other security-related laws in Nigeria include:

- i. The Penal Code and Criminal Codes of the Northern and Southern States, respectively.
- ii. The Police Act
- iii. Terrorism (Prevention)(Amendment) Act
- iv. Robbery and Firearms (Special Provisions) Act
- v. The Armed Forces Act

- vi. Economic and Financial Crimes Commission Act
- vii. Corrupt Practices and other Related Offences Act

7.2 The Role of the Judiciary

The rule of law is enforced by the judiciary through the interpretation of the law and decisions on disputes and questions brought before it. This is a very sensitive role and it is pertinent that the judiciary is independent at all times; a judiciary completely independent of the direction in which the political winds are blowing. The rule of law is effective when it is impartially and effectively applied. Court decisions have to be obeyed without question. This is the problem in most developing countries. For example, it was reported that Late Dr. Kwame Nkrumah of Ghana dismissed a judge for giving bad judgment against the government. It will not be out of place to use this occasion to reemphasize and remind other arms of Government of the need to respect and promote the independence of the judiciary in line with the doctrines of rule of law and separation of power as constitutionally enshrined in the 1999 Constitution (as amended). Attempts, whether direct or indirect, to intimidate, cow, and/or suppress the judiciary must be condemned and discouraged in all ramifications at all times.

I must commend the efforts of the South West Governors acting through their various Attorneys-General for taking definite steps at ensuring judicial independence in their various States. Just on Monday, July 19, 2021, I read a *communiqué* issued by Mr. Olawale Fapohunda, the Honourable Attorney-General and Commissioner for Justice, Ekiti State after the meeting held at Ado Ekiti in Ekiti State on Friday, July 16, 2021 with his counterparts from Osun, Ondo, Ogun, Oyo and Lagos States wherein they reaffirmed their commitment and resolve to implement financial autonomy for their various state judiciaries and legislatures and in this bid, agreed to exchange State Judicial (Funds Management) Bills and State Legislative (Funds Management) Bills to ensure uniformity across the States within the region. In addition, they also reiterated the need for the creation of State Police in line with their earlier submissions at the public hearing held in respect of the ongoing constitutional amendment.

The doctrine of rule of law presupposes equality before the law and this is important as the concept of rule of law is the bedrock upon which any modern democratic society rests. No arm of Government, or its Ministry, Department, Agency, Functionary or Appointee must be seen to be above the law. The need for the obedience of Court orders by all and sundry, no matter how highly placed, cannot be overemphasized. The reality as of today - that some persons pick and choose at will, court orders which are to be obeyed and those not to be obeyed - is worrisome, disheartening, and unacceptable. We must all be reminded that our judiciary plays a similar role to that of a mother in our democracy, and should be respected at all times. This respect must also be reflected in the funding of the judiciary. Not only is it imperative that adequate funds be made available, but also crucial that access to such funds be unhindered by any other branch of government.

For our Judges, courage should be an indispensable attribute. It is in the interest of the society at large, that our laws are interpreted and decisions given in line with current realities and developments. Law, they say by its nature, is not static but dynamic. If I may borrow the words of the Master of the Rolls, Lord Alfred Denning:

If we never do anything because it has not been done before, we shall never get anywhere. The law will stand still while the rest of the world goes on, and that will be bad for both.

Another area that merits close attention is the perception of judicial corruption. In its “Nigeria Corruption Index: Report of a Pilot Survey”, the Independent and Corrupt Practices Commission (ICPC) lists the judiciary at the top of the Nigerian corruption index, stating that about N9 billion was requested or offered in bribes to judicial officers between 2018 and 2020. There is no question that our judicial officers are upright people of strong moral convictions. But the administration of justice is so sensitive that even the slightest blemish can critically affect the reputation of the entire edifice. It is therefore important that the judiciary guards its reputation jealously, doing all it can to eliminate even the slightest hint of vice. The responsibility does not lie with judicial officers alone. Legal practitioners also must shun corrupt practices and thereby help strengthen the perception of the judiciary, because it takes two to tango.

The great volume of cases that come to the Courts has always strained its resources, and one effect of this strain is that it takes a longer period of time to conclude cases. Still, there is one aspect to this matter that merits consideration. Political cases tend to receive priority to the detriment of general civil cases. It is understandable, even desirable, that these cases should be accorded priority because they are often time-bound, but it is worthwhile to ensure that the situation does not harm regular civil causes.

7.3 The Role of the Bar as a body

The Nigerian Bar Association has a delicate role in fighting insecurity in Nigeria. Section 3 of the Nigerian Bar Association Constitution (as amended) provides that “*the aims and objects of the Association shall be the:*

- 1. Maintenance and defence of the integrity and independence of the Bar and the Judiciary in Nigeria.*
- 2. Improvement of the system of administration of justice, its procedures, and the arrangement of court business and regular law reporting.*

3. *Establishment, maintenance, and operation of a system of prompt and efficient legal aid and assistance for those in need but who are unable to pay for same.*
4. *Promotion and support of law reform.*
5. *Maintenance of the highest standard of professional conduct, etiquette and discipline.*
6. *Promotion of good relation among the members of the Association and lawyers of other countries.*
7. *Promotion of co-operation between the Association and other National or International Law Organisations and such other bodies as may be approved by the National Executive Committee.*
8. *Encouragement and protection of the right of access to courts at reasonably affordable fees and of representation by counsel before courts and tribunals.*
9. *Encouragement of the establishment of a National Law Library.*
10. *Promotion and protection of the principles of the rule of law and respect for the enforcement of fundamental rights, human rights, and people's rights.*
11. *Creation of schemes for the encouragement of newly qualified members and assistance to aged or incapacitated members of the Association.*
12. *Establishment of schemes for the promotion of the welfare, security, and economic advancement of members of the legal profession.*
13. *Creation and maintenance of an Endowment Fund for the proper observance and discharge of any of these aims and objects."*

In other to advance the above aims and objectives, the NBA has formed the Section on Public Interest Litigation (SPIDEL), Section on Legal Practice (SLP), and Section on Business Law (SBL), and other fora. I commend the Nigerian Bar Association, particularly the Section on Public Interest Litigation (SPIDEL) for the public interest litigations (PILs) that they have instituted and pursued overtime. I must emphasize that there is a great need for PILs in Nigeria. Professor Baxi, a foremost Indian scholar defines PIL as a "social action litigation" designed to be used as an instrument of social change deployed on behalf of the victimized and oppressed classes. According to Mamah, PIL refers to the practice of precipitating social change through court decisions that reform legal rules; enforce existing laws, and articulate public norms. This takes the form of litigating issues that border on

public interest and general human rights protection. PIL has also been defined as the use of the law to advance human rights and equality, or raise issues of broad public concern. It helps advance the cause of minority or disadvantaged groups or individuals. It is clear from the definition above that the essence of public interest litigation is to engender social change in society. This allows the court to make declarations that re-emphasize social values. One of such is that society believes in the sacredness and sanctity of human lives. As such, it is important to consider how public interest litigation could help to stem the tide of the wastage of human lives through the evil called extra-judicial killings, either perpetrated by state (security) agents or private citizens. However, I urge us all to be more fervent in the cause to ensure that our society is better and more habitable.

8.0 LAWYERS AS PANACEA TO INSECURITY IN NIGERIA

It has been said that security is everybody's business. This is even truer for lawyers who are important stakeholders in the business. *Lawyers are ministers in the temple of justice* is an age-long aphorism symbolizing great power and even greater responsibility in the scheme of social order, peace, and stability. Verily, there can be no social order or peace without social justice. It is the lawyer's ultimate interest that at all times, social justice is attained. The concept of justice is not so trivial a conjecture for it entails certain fundamental tenets such as equity, fairness, access to Court, freedom, the defense of truth amongst others. This ultimate interest of a lawyer has borne credence that beyond his responsibilities to a client(s), colleagues and the court is his duty to his society. He is therefore an important stakeholder in the security architecture of any state. In addition to their duties as watchdogs in society, lawyers may act as informants, prosecutors, advisers to the government amongst others.

Law is a noble profession and lawyers are believed to be naturally entrusted with nobility. In most instances, they are referred to as custodians of the law; and hence, are influential agents of change having prominent roles as organizers and spokesmen of the society. Before delving into the critical role that lawyers play in the fight against insecurity in Nigeria, it is pertinent to note that the obligations and responsibilities of lawyers when dealing with crime are huge. At first sight, it would seem that legal practitioners may not be directly involved in policy conception, formulation, and policymaking as they are seen not to be the traditional roles of the lawyers. However, in all facets of life, lawyers are either directly involved with or form part of a team in government policy formulation. Lawyers are very essential in every part of our system, and it is pertinent to note that the obligations and responsibilities of lawyers when dealing with security challenges are weighty. In light of these, the enormous task placed on the shoulder of lawyers by society requires more than the rhetoric reference as “influential agents of change”. It involves determination, diligence, and consistency, and above all, observing the rule of law as well as promoting and fostering the cause of justice. Society is the lawyer’s jurisdiction.

Although it is not within the mandate of the judiciary or the legal profession to address this issue, one can ask; how can we be of help? Where are our children who are being abducted

from schools? From available statistics, Nigeria is the third most terrorized nation in the world, out of over 195 countries, and with the recent developments, we are gravitating towards the top spot. Why us? Since time immemorial, preservation of life is one of the fundamental essence of law and a major factor that has remained a clear distinction in modern society. The need to have and achieve comfort, orderliness, and harmony is a thematic concern for any society, therefore, makes the issue of security every man's business and it is only through the collaboration that encompasses several disciplines particularly the lawyers, that Nigeria can successfully combat the plague of crisis and insecurity. In the words of Lord Bacon:

I hold that every man is a debtor to his profession, from the which, as men do of course seek to receive countenance and profit, so ought they to endeavour themselves by way of amends, to be a help and ornament.

It suffices therefore to say that sound legislation and the legal profession are critical to the well-being of the nation. Lawyers owe a duty to the nation and the society to ensure that crime and all forms of impunity are fought conscientiously and resolutely. Thus, any society where people do not obtain justice from the institutions that are created to ensure justice will wallow in strife and insecurity. Upon deep reflection, one wonders why a country bestowed with so much manpower and enormous resources has been unable to harness and deploy this huge material resources and human endowment into rapid development and prosperity to mitigate agitations leading to insecurity. The prevailing situation is posing a big risk to the unity of this country. The stability of any nation is premised upon the existence of certain core features such as the policy of the rule of law without compromise, transparency, accountability, and due process in governance. These elements are the cornerstone of any civilized democratic state.

Lawyers are supremely and morally responsible to advise for better legislation and as draftsmen, come up with watertight legislation that fosters security. A recent portrayal of this role is the bill sponsored by Sen. Francis Onyewuchi: The Terrorism Prevention (Amendment) Bill 2021, which seeks to prohibit the payment and receipt of ransom for the release of a kidnapped, wrongfully imprisoned, or confined person. Lawyers should be at the forefront of this endeavour. They can scrutinize this piece of legislation *vis-a-vis* the current happenings and propose modifications in tandem with current realities. Law is an instrument of social control and the lawyers obviously should know the letters and spirit of the law better. It is his tool of trade and he can advise better on the use of law to fertilize and cultivate a peaceful atmosphere for all.

To buttress this point further, Lawyers should also seek to identify and recommend amendments to loophole in our existing laws that criminals have and are taking advantage of. A lawyer must know when to draw the line between his client's interest and the course of justice. Justice is not linear. It is a three-waytraffic: for the accused, the victim, and the society. When the perpetrators of insecurity are granted justice, when the society is granted

justice and the victims are granted justice, only then would justice have been truly attained and deterrence to further societal ills ensured. As ministers in the temple of justice, the lawyer must contribute to ensuring speedy disposal of cases in the most efficient way possible while ensuring that parties are brought to book where need be. This is especially important in security-related cases. The tradition of delay tactics and suppression of evidence must be nipped in the bud. Lawyers must say no to criminal elements who have devised rather ingenious ways of laundering stolen monies through lawyers.

The lawyer should sensitize the general public on the ills of crime and punishment for same. They must rise to their responsibility as consultants in the temple of Justice, educating the public of their freedom, rights, legal processes and encouraging them to be law-abiding. The lawyer is the custodian of the rule of law and a key player that ensures the wheels of justice keep turning. Society is the lawyer's jurisdiction; he is an ambassador of the bar and must champion the corrections of social ills at all times. He is an enforcement officer and a public citizen with special responsibility for the defense of truth, social justice, and peace.

Also, on May 4, 2021, His Excellency, President Muhammadu Buhari approved the establishment of a National Centre for the Control of Small Arms and Light Weapons (NCCSALW) to be domiciled in the Office of the National Security Adviser to check the proliferation of small arms and light weapon into Nigeria. Lawyers are better seised of the guiding gun control legislation around the world and in Nigeria. They can appraise the Firearms Act and Firearms Regulations, and make policy recommendations in tandem with our laws for proper check of the influx of small arms and light weapons in the West African countries. They should recommend amendments to our laws for proper monitoring and implementation of policies on small arms and light weapons.

The lawyer should sensitize the general public on the ills of crime and punishment for the same. In précis, lawyers must rise to their responsibility and fight for our dear nation Nigeria.

In a nutshell, I have said time without number in the past that:

“The lawyer is the five senses of the visible body of the common man: the lawyer is the eye, the mouth, the eardrum, the nose and the receptor of the common man.”

The above represents the five senses of sight, taste, hearing, smell and touch ascribed to every human being and it is apt to attribute the same to lawyers as the function of the five senses is synonymous with their roles in society. In addition, I have equally said that:

“the lawyer is the mouthpiece, the defender, the ambassador of and the giver of hope to the common man”.

9.0 CONCLUDING REMARKS

In conclusion, we all must recognize that in ensuring a crime-free nation, both the law and the lawyers must act as a genuine watchdog for society. Lawyers, as mouthpiece and watchdogs of the society, ought to imbibe the culture of patriotism and refrain from undue pressure, temptations; from colluding or conniving with economic saboteurs who in their desperate bid to escape from the grips of the law and who dangle hard currencies on their faces. I must emphasize that both the law and lawyers play a vital role in the preservation of society and hence, permit me to share my poetic dream for Nigeria which I also shared very recently in a paper I delivered at the NBA, Ikeja branch on “The Nigerian State and the Call for Restructuring”:

“I dream of a country that rewards hard work and excellence, irrespective of a person’s social status, cultural belief, faith, tongue, gender chauvinism, and circumstances of birth;

I dream of a Nigeria with purposeful, visionary, and exemplary leadership which extols national interests above the individual and sectional interests. I dream of a day Nigerians will have leaders that are unifying figures and who command moral authority;

I dream of a Nigeria with free, fair, transparent, and credible national elections;

I dream of a Nigeria where humanity is our race, our language is one and indigenship is true to all citizens regardless of residency in any State. I dream of a Nigeria where unity binds all peoples both at home and in the diaspora.

I dream of a Nigeria where a nobody can become somebody and somebody is treated as equal with someone regarded as a nobody in the eyes of the law – where the rule of law is worshipped and the sacredness of justice is not corrupted. I dream of a Nigeria where equity, fairness, transparency, and justice thrive above all intents and aspirations of persons.

I dream of a Nigeria inspiring the African continent and the black race to her pride of place in the world;

I dream of a Nigeria where the Legal Profession and the Bar play a pivotal role in nation-building since we are the primus inter pares.

I dream, I dream and I dream of a better Nigeria where everyone mutually co-exists and lives peacefully with a wide range of opportunities to thrive and succeed in any lawful profession, trade or vocation anywhere he or she resides. I dream of a brighter future for our children and children’s children.

I pray that all Nigerians work to make these dreams come to pass in the not too distant future.”

Insecurity is a strong force militating against the Nigeria of our dreams. One cannot put something on nothing and expect it to stand as it will collapse like a pack of cards. With good security in place, nothingness shall be chased away and Nigeria will become a land of abundant milk and honey in the not too distant future. We cannot have the Nigeria of our dreams until we can, first of all, achieve and boast of the security of our lives and properties. Therefore, we must fight hard and strive to eliminate it so that our future and that of our children will be secured.

Thank you.

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