



Analysis of some of the legal challenges in combating drug trafficking in Nigeria

T I Akomolede, Adetifa E K

Lecturers, Faculty of Law, Ekiti State University, Ado Ekiti, Ekiti State, Nigeria

Abstract

Combating drug challenges has remained a daunting global task for a variety of reasons. The dynamism of illicit drug markets worldwide is very topical and deeply pronounced in playing down the effectiveness of the various innovative drug policies and efforts put in place to stem the tide of the drug trade. New trafficking routes and modes are evolving with almost each passing day. The drug situation is further aggravated by the emergence of new psychoactive substances in the global market that are not under international control with its multiplier impacts on the corresponding expansion of illicit markets. Emergence of new technologies equally detracts from the efficacy of law enforcement efforts as drug traffickers are beneficially catching on the global reach of the internet to facilitate the movement of illicit consignments and adapt circumventing modus operandi. In most cases, law enforcement effectiveness is being challenged due to the inability of drug policing organization to swiftly adapt to the growing trend of technologies in drug trafficking. Absence of data collection and analysis mechanism to compile, analyze and disseminate drug related information is yet another drawback in many countries in the fight against illicit drug trade. Drug trafficking obviously remains a hydra headed global monster. However, the extent of the vulnerability of each country may be dependent on a number of diverse peculiar factors. This paper therefore seeks to examine some of the peculiar challenges in Nigeria in addressing the drug menace.

Keywords: drug trafficking, governance, constitution, challenges, corruption, new technologies, overburdened judiciary

Introduction

The alarming rate of drug trafficking in Nigeria cannot be attributed to paucity of statutory and institutional frameworks to deal with the menace as there are a number of statutory and institutional measures put in place to address drug challenges in Nigeria. Besides from national efforts, Nigeria is signatory to several regional initiatives and international drug control Conventions ^[1] However, rather than reducing, the incidence of drug trafficking is becoming exacerbated with worrisome complexities.

A number of factors are militating against the effectiveness of the efforts aimed at curtailing illicit drug trafficking in the country. These factors which are by no means exhaustive include constitutional constraint, weak and overburdened judiciary, absence of good governance, prosecutorial constraint, corruption, weak or absence of political will, poor funding of anti-narcotics institution, porosity of the border among others.

The identified factors will be examined in this paper with a view to espousing how they have negatively impacted on the efforts to combat drug trafficking in Nigeria as well as the way forward out of the debacle created by them so as checkmate the rife in drug trafficking in Nigeria.

Constitutional Constraint

This is one area where there may be a legal challenge in combating international drug trafficking in Nigeria. Treaties and Conventions to which Nigeria is a signatory do not automatically become Nigerian laws capable of being enforced like any ordinary piece of domestic legislation. Thus, for the purpose of giving effect to such treaties and conventions in Nigeria, the Act of the National Assembly is required through the process commonly called transformation. The process of transformation may take two

forms namely through re-enactment and by reference. In Nigeria, the necessity for domestication of treaties is clearly stated in the 1999 Constitution ^[2] which provides thus:

No treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.

The above provision of the Constitution was judicially reaffirmed by the court in *The Registered Trustees of National Association of Community Health Practitioners of Nigeria and Others Versus Medical and Health Workers Union of Nigeria* ^[3] where the court declared an International Labour Organization Convention as inapplicable in Nigeria on the ground that same had not been domestically enshrined as Nigerian legislation. The rationale behind the prerequisite of Act of the National Assembly to enforce treaties and conventions is not far-fetched. It is understandably in recognition of the avowed principle of separation of powers among the three arms of government where law-making function has been neatly compartmentalized into the purview of the legislature. Hence, the process is to, among other things, jealously guide against usurpation of the legislative function by the executive arm of the government through treaty-making.

Generally, the process of domestication involves sending a Bill to the National Assembly with intent to enact a law making the treaty part of the domestic Law. Procedurally, such Bills are sent as Executive Bills from the President which significantly abridges the bureaucracy requirements for presenting a Bill to the National Assembly. The Bill then goes through the same process as other Bills, i.e. the readings; public hearing, if necessary etc. Despite the fast-tracking process of presenting such Bills as Executive Bills, protracted delays still do occur at the National Assembly;

(sometimes due to political bickering), before such Bills would sail through and eventually become Acts of the National Assembly. The Nigerian political scene has been largely monetized and hijacked by money bag politicians some of who are drug barons. If some of these drug barons become members of the National Assembly, they may deploy their political weight and influence to frustrate the timeous passage of such Bill into law as they may conceive such law as a potential hindrance to their drug trade interest when eventually passed. Conventions and Treaties on international illicit drug trade ratified by the Nigerian governments are not exempted from delays of this nature and this has negatively affected the prompt enforcement of such conventions to address illicit drug challenge in Nigeria.

Weak and Overburdened Judiciary

In Nigeria, the principal institutional body policing illicit drug trade is the National Drug Law Enforcement Agency (NDLEA) The Act setting up the body unequivocally gives jurisdiction to the Federal High Court to try drug-related offences in the country. The jurisdiction of the Federal High Court is contained in Section 251 (1-3) of the Nigerian 1999 Constitution as amended. Specifically, the jurisdiction of the Federal High Court is two folds, namely, civil and criminal. The civil jurisdiction of the Court as enshrined in Section 251 (1) (m) of the Nigerian 1999 Constitution as amended patently covers drugs related matters. However, the 1999 Constitution does not expressly confer criminal jurisdiction on the Federal High Court in drug related matters rather the criminal jurisdiction in relation to drugs is conferred on the Court by implication. This position was emphasized by the Court in *OCHALA vs. F.R.N* ^[4] where it was held that:

The provisions of section 251 (1) (m) of the Constitution of the Federal Republic of Nigeria, 1999, (as amended), donates exclusive jurisdiction to the Federal High Court on civil causes and matter relating to drugs and poison. And by virtue of the provisions of Section 251 (3) of the same Constitution, the Federal High Court shall equally have and exercise jurisdiction and power in respect of criminal causes and matters relating to drugs and poisons.

Section 251 (3) of the Constitution provides thus:

The Federal High Court shall also have and exercise jurisdiction and powers in respect of criminal causes and matters in respect of which jurisdiction is Conferred by subsection (1) of this section.

It is noteworthy to stress here that drug-related matter is one of the items listed in sub-section 1 of section 251 of the 1999 Constitution as amended. The Constitution equally provides in its section 251 (s) that the Federal High Court shall exercise such other jurisdiction, civil or criminal and whether to the exclusion of any other court or not as may be conferred upon it by an Act of the National Assembly. It is perhaps in consonance with the foregoing provisions of the Constitution that the Act setting up the NDLEA gives jurisdiction to the Federal High Court in drug-related offences when it provides in its Section 26 (1) thus:

The Federal High Court shall have exclusive jurisdiction to try offenders under this Act.

However, unlike the civil jurisdiction of the Federal High Court, the criminal jurisdiction of the court in drug-related offences is never explicitly stated by the Constitution to be to the exclusion of other courts in the country. Thus, the exclusiveness of the jurisdiction ascribed to the Federal High Court over drug-related offences is clearly an

invention of the NDLEA Act. The restriction of jurisdictional power in drug-related offences to the Federal High Court has, however, constituted one of the legal challenges in combating drug trafficking in Nigeria. The reason for this is not far-fetched and this can be safely divided into two parts. First, there are several other causes that fall within the purview of the jurisdiction of the Federal High Court which of course keep the court almost always pretty busy.

The exclusive jurisdiction given to the Federal High Court in drug offences compounds the overburdened cases scheduled in that court. This dovetails to the second part which is the daily uprising in drug trafficking cases. It cannot be over emphasized that drug trafficking, much more than certain criminal offence has become a daily occurrence nationally and globally. The number of drug offenders ditto the attendant drug related cases keep mounting for a single court as the Federal High Court to successfully cope with. Several drug-related cases have been dragging on before the Federal High Court for years on the account of tight cases schedule which do not allow expeditious disposition of such cases. Many at times, drug offenders do prefer to collude with corrupt drug policing officials by bribing their way out at any cost rather than facing daunting and protracted court prosecution.

The Nigerian judicial sector is without any apology, weak or has been unashamedly compromised. Undoubtedly, a virile and independent judiciary is needed to successfully fight against illicit drug trade as a weak and compromised judiciary will certainly lack the requisite potency to frontally address the menace of drug trafficking through unbiased and fearless judicial decisions regardless of whose horse is gored ^[5].

The administration of criminal justice system in Nigeria has performed far below the expectations of most Nigerians and world standard. In some instances, the judiciary has produced highly questionable judgments in drug related cases and in other serious crimes leading to insinuation of financial inducement or compromise. No doubt, the Nigerian judiciary has been plagued by some long standing problems which have contributed to its inefficiency. Some of these include the shortage of the highly-skilled personnel with impeccable integrity needed to assume the roles of prosecutors and judges, poor remuneration despite large case loads, absence of decent working conditions ^[6]. These promote vulnerability of judiciary staff to corrupt indulgences as some of them are lured or constraint into cooperation or collusion with well-resourced drug trafficking groups. Judges that are known to be incorruptible in their judicial stance are avoided through side payments and collusion with corrupt judiciary staff in charge of cases allocation that would see to the allocation of such drug cases to "soft landing judges" ^[7].

When crimes are not punished or inadequately punished, that is, in a way that does not commensurate with the offence committed, such an attitude reinforces the belief in crime commission. There are instances when drug offenders are discharged and acquitted on (flimsy) technical grounds, or a convict is given laughable terms of imprisonment for a serious crime as illicit drug trade. Where punishment is too lenient and does not commensurate with offence committed, the deterrent quality in such judgment is thereby detracted from ^[8].

The inability of some judges to appropriately punish drug

offenders usually sends a wrong signal to the public that indulging in illicit drug activities would only attract mild punishment and this is obviously one of the reasons for the upsurge in the increasing number of people that are being apprehended almost on daily basis in Nigeria. Some judges are ridiculously liberal in granting bail to drug offenders who once out on bail, adopt all kinds of tactics in and out of the court to frustrate their further trial. The bail amounts granted to traffickers in some cases are very modest and sometimes without valid sureties who can go underground and the suspect easily jump bail. Instances abound where drugs suspects who have been admitted to bail were re-arrested while attempting to escape out of the country. Although the present drug legislation makes provision for custodial sentences as well as fines, some judges have refused or willfully failed to pass custodial sentences to serve as deterrent to others which would have reduced the flow of drug trafficking in the country. These acts are counterproductive and not encouraging for the drugs war. The unwholesome development in the judicial sector has some negative consequences on drug control measures. It has depleted the camp of dedicated anti-narcotics officers. In other words, it has undermined their enthusiasm and lowers the morale of drug control officers to undertake the risk of arresting and subjecting drug traffickers to trial and conviction. This also explains why some officers have resorted to collaborate and aid drug dealers in their business rather than to risk their lives in vain for judicial trial that may be ultimately compromised.

Absence of Good Governance

This is a crucial challenge in combating illicit drug trade in Nigeria. Indeed, section 14 (2) (b) of the Nigerian 1999 Constitution as amended which deals with fundamental objectives and directive principle of state policy explicitly provides for the duty of the government to provide good governance for the citizenry. The same Constitution, in its objectives provision, stipulates that ^[9]:

The State shall, within the context of the ideals and objectives for which provisions are made in this constitution harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self-reliant economy every citizen on the basis of social justice and equality of status and opportunity; control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity.

The by-products of absence of good governance may manifest in a number of ways which directly and indirectly have implications for thriving in illicit drug trade. It obviously amounts to an understatement to stress that absence of good governance is one of the major problems besetting Nigeria as a nation. Absence of good governance has resulted in the ineffectiveness in addressing mirage of problems in the country such as socio- economic problems like high rate of unemployment; poverty especially among the youths, problem of urbanization among others ^[10]. All these problems directly and indirectly constitute push factors that precipitate youths indulgence in illicit drug trafficking and other crimes ^[11]. High unemployment levels, particularly among the youths who make up the bulk of the population in Nigeria and in most developing countries, remain a major challenge for any meaningful control policy measure particularly if the illicit drug market remains one of

the few income generating activities available to the jobless youths ^[12].

Where legitimate means of livelihood is non-existent, scarce, or difficult to come by, drug trafficking is most likely going to be handy and a bail out for the teeming unemployed youths so as to keep the body and soul together. Thus, unemployment can readily serve as a push factor for youths' indulgence in drug trafficking to address poverty. To worsen the situation, most youths do not have the skills required for any employment due to lack of formal education. This condition has resulted in cheap price placed on labour and on their lives. Many youths are ready to undertake risks for a price lower than anything. Even those that are employed hardly make ends meet because of low remunerations. Today, people are living in desperate times and some are tempted to take desperate measures to survive ^[13]. Thus, participating in drug production and trafficking becomes attractive especially where there is a high level of unemployment and underemployment accompanied by high level poverty.

A good number of the youths do not have the opportunity to attend school or learn a trade and so lack the required skills and experience to secure viable employments but have turn scavengers to make a living. A huge percentage of privileged children who had good education attended private or religious schools because the public schools have shriveled. Nigeria schools cannot equip its graduates with the required skills in a highly competitive world of work ^[14]. Large populations around the world that live in areas with minimal state presence, great poverty and social and political marginalization are dependent on illicit economies for survival and the satisfaction of economic needs and social advancement. Many participate in informal economies if not outright illegal ones as the only way to satisfy their human security and provide any chance of their social progress under the risk of being caught ^[15].

The more the state is lacking or deficient in the provision of socio-economic public goods starting with public safety and suppression of street crimes, access to justice, access to health care and education, the more individuals and communities become susceptible and dependent on and supporters of criminal entities such as illicit drug trade and other illegal economies to survive ^[16]. One of the effects of urbanization is the anonymity of city life which dissolves the bonds between people and weakens social organizations and creates conditions for the commission of crimes. A school of thought has noted ^[17] that where state and traditional forms of authority is absent from the urban cities, it is inevitable that alternative forms of government will emerge which is characterized by anonymity and forms of life not found in rural areas. This lowers the barriers to deviance behaviour and leave the anomic youths seeking for fellowship, community and identity through gang behaviour hence no alternative is provided.

The reason could be for patronage, protection, access to finance and guns. This local youth gang can equally form connection with higher criminal networks including international trafficking organizations. It has been further pointed out that most urban areas have turned into feral cities where the state cannot exercise control or impose its law and order or make adequate provision to cater for the citizens. This type of urbanization has inevitably opened up fissures through which illicit drug activities rolled in with relative ease. In these areas, despairing young males living

in terrible conditions often become the shock troops of crime. Unplanned urbanization creates fortified areas which is difficult for law enforcement agents to police and monitor peoples activities ^[18]. In some areas, in place of government forces, vigilante groups are established to monitor society and respond to widespread insecurity arising partly because of disillusionment with the government to provide security and the failure of the criminal justice system in respect to justice ^[19]. However, instances abound where members of this vigilante group having acquainted themselves with the environment turn to become armed bandits terrorizing the very neighbourhood they are paid to provide adequate security by attacking residents and dispossessing them of their valuables thereby creating a scenario of from fry pan to fire for the citizenry.

Prosecutorial Challenge

Prosecutorial challenge in combating drug trafficking may arise from the non-availability of witnesses. For effective and effectual prosecution of drug offenders, it is imperatively required that the prosecution should be able to assemble relevant and vital witnesses that can help place before the court credible and cogent evidence as to the culpability of the drug offender. In Nigeria, there is inadequate or in some instances total absence of protection for court witnesses as a result of which many of them exhibit disinterestedness in court appearance for fear of their safety.

Availability and protection of witnesses is very essential in the fight against drug trafficking. Regrettably however, very many good drug-related cases that would have been successfully prosecuted have been frustrated and or lost on technical grounds due to the non-availability of vital witnesses. Where there is general apathy and or unwillingness on the part of witnesses to attend trial for fear of attack by members of drug syndicate, the drug war is bound to greatly suffer a setback.

Indeed, not many people would be ready to risk their lives as witnesses against drug traffickers in the law court especially where their safety is not assured or under the threat of attack or elimination from drug traffickers who are standing trial. Section 18 of the NDLEA Act envisages the possibility of drug traffickers working behind the scene either by means of threat or financial inducement to prevent a witness from attending trial to testify against them. Hence, it provides a sanction or a term of imprisonment not exceeding seven years for anyone who prevents a witness from attending trial. Some of those intimidating or harassing prospective witnesses from coming to court to testify against drug offenders usually operate on the basis of anonymity which makes it difficult to trace or arrest them to face prosecution. Even where they are caught and charged to court, their trial may be protracted, due to the sluggish and frustrating judicial system being operated in the country.

Corruption Challenge

One of the main reasons for the continued persistence of illicit drug trade is the endemic corruption among the leaders and various relevant law enforcement agencies. No doubt, corruption undermines any meaningful efforts in the fight against the illicit drug problem. Powerful and wealthy organized crime groups corrupt and intimidate public officials to facilitate the illicit drug trade. Without

addressing the vicious circle of corruption, the illicit drug trade control efforts will never be fully successful. It is not only the anti-narcotics agency that is weak and lack the capacity to carry out its function effectively ^[20]. Advertedly or inadvertently, the governments have allowed the anti-corruption units to be weak and ineffective to the point of being akin to a toothless bulldog.

The problem in Nigeria is not the existence of corruption *simpliciter* as corruption exists in most nations of the world albeit in varied degrees. Rather, it is the inability of the government to decisively deal with it. The high levels of corruption conduct with impunity especially among drug policing agents, law enforcement agents and judicial officers is particularly due to economic and institutional weaknesses ^[21]. The lack of political will on the part of government to tackle head-on the pervasive corruption is responsible for the development and growth of crime including drug trafficking. Most crimes are committed or supported by the elite and government officials that the distinction between the activities of government officials and criminal elements are so diffused and blurred ^[22].

It is difficult to distinguish where official functions end and where criminal activities begin. Corruption reduces government effectiveness by undermining the legitimacy of public authority; it generates social indiscipline, lawlessness, promotes public impropriety, disrupts public planning and policy making and aggrandizes an incompetent and corrupt bureaucracy which further reduces government effectiveness ^[23]. The menace and devastating impact of corruption in the country is very pervading and encompasses virtually all the segments of the society. Expectedly therefore, NDLEA cannot be an exception. Although, past and present Nigerian governments have put in place various measures to combat corruption challenge, the scourge however persists at an alarming rate.

Depicting the worrisome state of corruption in Nigeria, a former Catholic Archbishop of Lagos, his eminence Anthony Cardinal Okogie has aptly stressed that Nigeria's growth is being hampered by institutional corruption ^[24]. Nothing can be truer than this as both private and public facets in the Nigeria society are disturbingly enmeshed in deep rooted corruption. In its ordinary meaning corruption means the destruction or spoiling of anything. The World Bank defines corruption as the abuse of public office for private gain. It involves the seeking or exacting of a promise or receipt of a gift or any other advantage by a public servant in consideration for the performance or omission of an act, in violation of duties required of the office. It may also involve extortion of monies or theft by public servants of amounts due or payable to public coffers. Stressing the negative impact of corruption on the society, the World Bank Report ^[25] has aptly observed thus:

In many such societies, corruption exacts heavy economic costs, distorts the operation of free markets, slows down economic development and destroys the ability of institutions and bureaucracies to deliver the services that society may expect. Corruption also casts a negative influence on the efforts to deal with the incidence of poverty.

There are three forms of corruption; collusive (involving willing and planned cooperation of the giver and taker), extortionary (implying forced extraction of bribes or other favours from vulnerable victims by the authority) and anticipatory (involving payment of a bribe or presentation of

a gift in anticipation of favourable actions) ^[26]. The type of corruption that is prevalent in relation to drug trafficking is collusive corruption between drug traffickers and law enforcement agency and government officials who collude through corruption indulgence to facilitate drug trafficking or let off arrested drug suspects. Anticipatory corruption equally applies to drug trafficking where a drug baron offers bribe to a judicial officer during the pendency of his trial for drug-related offences to curry judicial favour.

Usually legal mechanisms are directed at containing whatever aspect of corruption the society considers to be most problematic to it. The question of legal mechanism is important because corruption invariably exists within a legal framework and it is either that such framework is effective in containing corruption or the corruption will invariably lead to the destruction of such legal system. It is therefore incontestable that law is crucial in the fight against corruption. The law provides the framework for dealing with acts that are considered illegal or wrong by the particular society. Basically, there are three institutional bodies in Nigeria to combat the menace of corruption ^[27]. The ravaging influence of corruption has considerably whittled down the efficaciousness of some of the legal instruments and enforcement mechanisms put in place to checkmate drug trafficking. There is no gainsaying the fact that no law is self-execution rather every law is activated through human instrumentality ^[28]. In other words, the human element in the efficiency or otherwise of any law is essentially a huge determinant or index of its success.

It remains an open secret that preponderant majority of law enforcement agencies saddled with the responsibility of combating drug trafficking are neck-deep in corruption which often results in shameful compromise in the discharge of their various statutory roles as they relate to checkmating drug trafficking. In a recent development, some Nigerian prisons officials were alleged to have formed a syndicate with some convicted drug traffickers who were supposed to be in prisons custody as convicts. Sadly however, these convicted drug barons never stepped the prisons premises let alone being incarcerated there as they were released on financial bargain by prisons officials in transit ^[29].

The history of air operation in Nigeria is replete with reports about cockpit and cabin crew officials aiding and abetting drug carriers when the officials are not carrying the drugs themselves ^[30]. Facilitating passengers with banned substance to get to the aircraft and leave the country has been an illegal business going on for years at the most of the nation's International Airport. Anyone carrying illicit goods, including drugs, can easily escape with the goods to the aircraft by bribing his or her way. It has been a way of life for Nigerian security operatives at the airports to solicit for "gifts" from passengers ^[31]. Of recent in Nigeria, the battle against illicit drugs shifted focus from combating the menace outside the NDLEA to that of rescuing the Agency from the credibility crisis it had slugged itself ^[32]. The corrupt practice in the Agency was so rifled to such an extent that in July 1992, the Chairman of the Lagos zone of the Miscellaneous Offences Tribunal, Justice Funmilayo Oni-Okpaku angrily and openly accused the NDLEA of suppression of evidence in drug cases ^[33]. In August 1992, the Agency paraded four of its men who allegedly aided drug suspects to escape from detention. In January 1993, a senior officer of the Agency was suspended for allegedly

masterminding the removal of 200 grammes of cocaine exhibits expelled -from the bowels of a detained suspected drug courier ^[34].

In February 1993, the nation was stunned with the disappearance of 40 tones of Indian Hemp impounded earlier during a raid in Ondo State, Nigeria. An Assistant Director of the Agency was sentenced to 10 years imprisonment for receiving a bribe from a drug suspect. Equally, massive corrupt practices were reported in Kano Zonal Command of the NDLEA ^[35].

Against the background of the rot under the leadership of Jama'are, the then Chairman of the Agency, the Federal Government of Nigeria set up a panel to reorganize the Agency. While inaugurating the six man panel, General Oladipo Diya remarked thus:

The latest scandal at the NDLEA, that is, the disappearance of 12 wraps of heroine seized last year from Joe Brown Akubueze is a manifestation of the level of corruption and collusion that emasculates the effectiveness of anti-narcotic efforts.

Despite efforts being made by the Nigerian Government to combat drug trafficking, the profile of the country in the international narcotic market is embarrassingly rising ^[36]. Commenting on the appalling situation in the Agency upon assumption of office as the Chairman of the Agency, General Bamaiyi remarked thus:

We have a task to restore the confidence of the people in the Agency. If necessary sacking of the entire Agency's staff will be the remedy, we shall not hesitate. It is disappointing to see that those charged with the responsibility of fighting drug trafficking are the culprits. "NDLEA's contribution had been on negative side, it is your duty to redeem it now ^[37].

Unfortunately however, in no distant time, Bamaiyi like some of his predecessors derailed from his drug crusade and regrettably enmeshed himself in corrupt practices as he was reported to be compelling some of the drug dealers whose vehicles were seized by his men to donate some of them to his personal use as a condition for releasing them from detention. Before long, he was ingloriously shown out of the way of the Agency.

Another manifest area of collusion and complicity is through influential groups who usually have close relationships with government officials, by exerting influence to secure the release of major traffickers when arrested by the relevant law enforcement agents. These groups use several techniques including bribery or threatening of relevant governmental officials until they are successful in achieving the release of an arrested drug criminal ^[38].

In these situations in which punishment for major traffickers is often avoided through bribery or pressure from influential groups, the counter-narcotics law in itself becomes inconsequential to tame major traffickers, because they have the opportunity to use their ill-gotten profits from drug trafficking to gain the release of detained drug suspects to continue with their criminal activities.

To make matters worse, even when top NDLEA officials are implicated in drug trafficking and corrupt practices, they are only relieved of their appointments which however do not prevent them from getting another hence they are well connected to persons in high places. Practices such as this have led to the growth of drug trafficking in the country.

Lack of Political Will

The level of political will within the country to address drug trafficking is a key determinant of the counter-narcotics success. Increased counter-narcotics measures by the government without accompanied or corresponding political will is akin to clapping with one hand. When the highest levels of government are involved in drug trafficking, then, there is little sense in investing in supply reduction side or policing sector as those opposed to reforms will easily derail such efforts ^[39]. In these contexts, direct counter-narcotics efforts should focus on fostering political will to address the issue, including raising the awareness and capacity of civil society actors to advocate for counter-narcotics efforts and diplomatic pressure.

There is always indiscriminate application of the law - that is discrepancy between stated laws and its practices. In Nigeria usually, there is hardly any consequence for wrong doers especially among the high profile citizens and those who are well connected to them no matter the gravity of the offence. Most often, only citizens of the lower rung of the society suffer. Efforts to build political will should address both the demand side by working with local populations and civil society organizations and the supply side by working with government officials. In Nigeria, rules, policies and procedures are framed or decided on; however, they are often not enforced. There is reluctance to place obligation on people to obey them. For instance, measures against crimes lack the consistency and rigorousness to prevent or check their occurrence. The government seems to lack the courage or determination to change the prevailing attitudes and institutions that stood in the way of reforms and development. Various governments have failed to confront dissident groups, criminals including drug traffickers, nor the state officials who undermined state laws, or the abuse of the discretionary powers of the judges within the judicial system which has failed to decisively deal with drug offenders. This is obviously one of the reasons for its resurgence and has caused severe impediment to the war on drug trafficking.

One direct consequence of this weakness of the government or lack of political will has been the tremendous growth in criminal activities including drugs trafficking resulting to the gravest internal threat to human health and security in the country ^[40]. Granted that like every other crime, drug trafficking cannot be realistically brought to a permanent end in any society ^[41]; however, its rampancy in Nigeria, is attributable to a number of factors such as lack of the political will on the part of the leadership to strictly enforce extant legislation ^[42]. Sound laws have not been established to be enough to win the fight against drug trafficking in any society except same is consciously married with a strong political will to uproot and punish such vice.

There are four levels of government contact with transnational crimes ^[43]. The first level is occupied by some states that are generally strong and are willing to confront organized transnational crimes through strict enforcement of relevant laws. They are often the exceptions. On the second level, which is seen more frequently, are weak states that acquiesce to organized crime. They lack the capacity to do anything about it in terms of enforcement and monitoring institutions. These are states in which there is some level of largesse from transnational criminality corruption in government so there are several beneficiaries. A third level is where a crime -corruption relationship goes beyond

individual corruption to collusion between members of government operators and the criminals. Finally, at the top are criminal states, where members of the government themselves are leaders of transnational criminal enterprises whose development makes it more difficult to fight crime in the state.

Each country can therefore, be judged on the basis of this classification and a decision made as to the magnitude of the problems posed by the absence of a political will on the part of the leadership that should give the necessary biting power to extant legal instrument. Judging the Nigerian Government against any of the above classifications, it would be seen that there is gross absence of political will to effectively tackle illicit drug trade as virtually all the four levels of government contact with transnational crime with the exception of the first level seem to apply in Nigeria. Nothing can better illustrate lack of political will or lip service posture on the part of the Nigerian Government to combat transnational drug trafficking than the plea of clemency for some Nigerians convicted and sentenced to death in foreign jurisdictions for drug trafficking ^[44]. This attitude exposes the hypocritical stance of the Nigerian Government to its avowed commitment to effectively address transnational drug trafficking.

The plea for clemency on behalf of the drug convicts by the Nigerian Government constitutes a tacit endorsement and a clear wrong signal to transnational drug traffickers of eventual soft landing when caught. A Nigerian drug trafficker who elects to traffic drugs in a jurisdiction where death penalty is the prescribed sanction would be deemed to have accepted the attendant penal measure and cannot turn round to plead ignorance as ignorance of law does not constitute an excuse. No reason can be adduced for this attitude by the Nigerian Government other than lack of political will to frontally address illicit drugs trafficking despite its huge global evils.

Poor Funding of Anti-Narcotics Institution

One of the major problems in combating illicit drug trade in Nigeria is the unwillingness of the government to address the deficiencies in illicit drug activities policing such as proper funding of the national drug control strategy and this results in ineffectiveness in addressing problems of corruption in the narcotics policing chain ^[45]. Moreover, the agency also suffers from internal organizational culture that stifles initiatives because it requires that all decisions must be made at the top ^[46]. Decision-making is almost entirely centered at the uppermost levels of the agency. Consequently, law enforcement agents are reluctant to take responsibility and unwilling to take action for fear that it may result in allegations of corruption or incompetence when their operations fail.

Most commercial cities lie within the coastal areas with vibrant seaports and where the major means of transporting heavy bulk of cargoes is in freighters such as maritime containers vessels, speedboats, fishing boats through the seaports where most of the illicit drugs could be concealed ^[47]. However, NDLEA have limited number of marine boats which are redundant and rusty and also lack competent officers to operate them. These deficiencies have made the anti-narcotics Agency to have limited oversight and to be pro-active in terms of aerial coverage on the sea routes that make it a low-cost and low-risk environment for illicit drug smuggling. Most often, officials of the agency cannot gather

enough evidence to make a successful conviction of any drug baron due to inefficiency and shoddy work. They show low capacity in intelligence gathering to arrest major barons or nip in the bud major illicit drugs trafficked into the country.

Most of the huge drugs seized and arrests made are as a result of intelligence report from the *Interpol*. The tendency of detecting drug dealers is minimal and the ability to produce evidence for successful prosecution in court is slim. They also lack the necessary training and experience to pursue higher-level players within illicit drug smuggling ring and insufficient follow-up investigation efforts which limit the results of their operations. The agency has shown high level of weakness in executing its official functions effectively because it has not been adequately empowered by the government in areas of operational vehicles, communication gadgets, sniffer dogs, scanning machines at various entry points to detect drugs and good working conditions.

These have been responsible for the failure in the whole chain of law enforcement activities from intelligence gathering to interdiction, to incarceration necessary to combat drug trafficking. The anti-narcotics officers' morale is low due to inadequate pay with no protections to make it worthwhile to resist the blandishments of illicit drug dealers. With these, they become susceptible to bribery or intimidation. It is these prevailing situations that drug traffickers exploit to conduct a flourishing business. To make matters worse, there is political interference in the operational activities of the agency.

Technology has become a crucial catalyst for drug trafficking. Events are proving that technology can be used in various ways, however, but not always for good. Advances in technology such as global telecommunication, infrastructure, cross border data flow, the internet, satellite networks and wireless telephones are all credited to globalization. Computers, mobile phones and the internet have brought about major transformation in world communication.

Drug traffickers now avail themselves of high-tech computer and communications technology which has facilitated the expansion of their trade and the protection of industrial secrets. Drug traffickers are now able to launder illicit profits by moving money around the world electronically with few national controls and undetected. The emergence of a global crime network with a high degree of operational sophistication, the growth of the international narcotics trading routes and the increasing complexity of money laundering crimes reflect three inter-related trends affected by technology and the globalization of commerce. All these accrued benefits of globalization and advancement in technology are being daily appropriated by drug traffickers to aid their illicit trade thereby making the menace of drug trafficking more intractable for the relevant law enforcement agents to combat.

A poorly funded anti narcotic agency cannot acquire necessary high-tech gadgets to effectively tackle the ever dynamic and rising drug trade activities and this constitutes a topical drawback in the fight against illicit drug trafficking in Nigeria.

Porous and Ineffective Border Control

The Nigeria state has exhibited poor and ineffectiveness to manage its border areas within and at the frontiers^[48]. Many

ungoverned spaces have developed and lawlessness internally has become the order of the day with persistent violent conflicts arising from the various interest groups and the federating units. At the national frontiers, there is the free entry and exit of people and goods due to loose control system^[49]. This situation provides opportunities for drug criminal networks to find safe haven to facilitate all kinds of crimes especially transnational drug trafficking. Thousands of miles of land borders present opportunities for drug traffickers and a serious challenge for drug authorities to develop effective controls. The terrain is extremely difficult to police and the difficulties are compounded by the lack of adequately-equipped and trained staff^[50].

Besides, Nigeria is surrounded by neighbouring states in the north, east and west and in the south by the Atlantic Ocean with seaports routes linking it to the rest of the world. It has had a long history and close tribal relationships with these states that distinction or demarcation between the neighbouring ethnic groups and their areas are blurred and difficult to differentiate^[51]. These people interact freely and marriage alliances between them are common and frequent. These factors are responsible for their understanding and cooperation even in cross-border trade and drug trafficking arrangements^[52]. It has been noted that West African states have highly permeable borders stemming partly from traditional trading practices and partly from weak border-control system. Similarly, an extensive level of permissiveness in border crossing arising from ethnic and religious contiguity is common that the Nigeria authorities are unable to contain.

The vast and porous land borders, seaports and corruption among government officials provide an ideal environment for drug trafficking^[53]. There are vast expanses of unprotected, unfenced and porous land borders stretching to other countries. Nigeria equally has hundreds of miles of unpatrolled coastal lines vastly stretched from the high sea to the delta communities. There are hidden bays, islets, islands and marshy swamps in these areas too numerous and difficult to patrol.

There are vast stretches of unprotected coastlines, marshy swap lands which are not easily accessible to the law enforcement agents and which provide drug traffickers ideal locations to traffic narcotics clandestinely^[54]. This situation, with flexibility compounds the problem already faced by anti-narcotics officials when they developed multiple routes through which drugs can be moved to and fro without detection. Porous borders, limited capacity of security forces and inaccessibility of many border regions also make these zones particularly vulnerable to the spread and trafficking of drugs. Drug traffickers take advantage of poorly protected borders and weak authority to ferry hundreds of million dollars worth of cocaine from one jurisdiction to another.

The borders are loosely policed; movement forth and back is mostly free except for occasional efforts by the Nigeria Immigration Services (NIS) who sometimes face mob action when they attempt to enforce strict control. At their core, border security strategies are meant to deter the entry of illegal or threatening people and goods while facilitating and speeding the entry of legal or desired people and goods. In a globalised economy, borders sometimes appear to lose a number of their functions. However, the security implications of migration, illicit trafficking and international terrorism remain at the top of the political agenda. The security discourse describes them as "cross-border" or

“transnational” threats ^[55]. As such, effective and coordinated management of a State’s land borders constitutes a rampart against threats to its territory and people. However, it should be noted that any weakness on one side of a border can have repercussions on the ability of the other side of the border to carry out controls and maintain a degree of internal security. Efficient border management, therefore, requires a minimum of cooperation between neighbouring States ^[56]. Furthermore, the lack of road infrastructure and connections between different parts of the country, as well as the length of the border and ineffective inter-state liaisons, also represent additional border management obstacles ^[57].

Another factor which constitutes a constraint to combating drug trafficking across borders is the presence of cross-border communities, particularly in Africa where the borders were outlined in the 19th century, without taking into account ethnic considerations. In many cases, ethnic or economic ties existed before the borders were imposed and the local communities have often developed formal and informal cooperation in a variety of areas, irrespective of the restrictions linked to the existence of a political border. Allegiances between cross-border communities sometimes supplant allegiances to the State. Cross-border communities that have misgivings about cooperation with State agents can subsequently compromise the efficiency of the State’s border activities and aid act of criminality such as illicit drug trade.

Moreover, when times are hard, drug trafficking is seen as a means of survival for the local community. As an integral part of informal cross-border economies, small-scale trafficking can become normalized ^[58]. This helps to explain the reluctance displayed by local communities with regard to cooperating with the authorities in fighting against cross-border trafficking activities ^[59]. Sometimes, a degree of tolerance practised by the agents patrolling the borders and the local authorities reinforces the climate of certain border regions can become safe havens for criminals and high-crime areas, where transfers by traffickers and criminals are possibly facilitated by the ethnic complicity of border region communities.

A completely closed border is not in fact the solution. On the contrary, it would be in danger of creating an environment that is propitious to illicit activities. The balance between “doors and walls” should therefore be respected, in order to facilitate development of legal economic activities in and beyond the border region and subsequently help reduce the conditions that generate illegal activities such as drug trafficking ^[60]. A border can never be completely controlled; it can only be at best managed in accordance with geographical considerations, financial, technical and human resources and ethnic realities. The geography of border zones can make certain parts of a land border difficult to monitor. The environment – desert, forest or mountainous zones – can have a significant impact on the efficiency of the control and monitoring mechanisms in place.

Conclusion

The various challenges facing the Nigerian government in tackling illicit drug trafficking are a product of multifarious factors. There is faulty implementation of the various extant regulatory measures put in place to address the drug challenges which is orchestrated by bad leadership and

endemic corruption that has eaten deep into every facet of the Nigerian Society.

Given the nature of the various challenges being encountered in Nigeria to curb illicit drug trafficking as highlighted in this paper, it is posited that if good leadership is enthroned and corruption is fought to a meaningful standstill; preponderant majority of these challenges will be implicitly resolved naturally.

Trafficking in hard drugs is on the rise in Nigeria despite the efforts by anti-narcotics agency because of the tacit encouragement through the country’s weak and compromised justice system. Good governance will among other things translate to effective and effectual justice delivery system to frontally tackle drug offenders. It will also significantly checkmate incidence of judicial corruption in the country and thereby scale down the rampancy of collusion between drug offenders and justice system and by extension, anti-narcotic agents.

In an atmosphere of good governance, there is bound to be demonstration of political will implement the various mechanisms put in place to ensure successes of the self-section to enforce the various measures put in place to tackle illicit drug trade regardless of whose horse is gorged. Poor funding of anti-narcotics institution and soaring rate of unemployment which is a fertile catalyst for indulgence in illicit drug trafficking can be remarkably addressed where good governance prevails.

To further strengthen the war against drug trade in Nigeria, it is imperative that culture of impunity where drug traffickers with stupendous wealth are being hero-worshipped, celebrated and treated as sacred cows without directing searchlight to the source of their questionable wealth should be discouraged. Indeed, this attitude creates the erroneous belief that drug trade is rewarding. Government should equally put in place data collection mechanism to aid effective policy formulation for security and health perspectives concern of drug trafficking. The Nigerian anti-narcotics agents government should avail themselves of the new technologies to unravel the emerging antics of drug traffickers who are continually circumventing national efforts to combat drug trafficking.

The war against drug trafficking in Nigeria will be positively strengthened if the government embrace the reality that drug trafficking is of broad nature which characteristic is essentially transnational. Thus, cooperation and concerted efforts on the part of all countries are prerequisite to any worthwhile combating measures as isolated national efforts will only yield negligible outcome.

References

1. West Africa Coast Initiative WACI, GIABA, AU Declaration on Control of Illicit Drug Trafficking and Abuse in Africa, Revised Plan on Action for Drug Control and prevention in Africa, Cannabis Decree of 1966, National Drugs Law Enforcement Act 1990 as amended, Airport Control Project AIRCOP, 1961 UN Single Convention on Narcotic Drug, 1971 Convention on Psychotropic Substances, 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, International Criminal Police Organization (INTERPOL), Convention against Transnational Organized Crime 2000.
2. Section 12 of the Constitution of the Federal Republic of Nigeria

3. 2 NWLR (Pt.1075), 2008, 572.
4. ALL FWLR (Pt. 758) 869 at 881-882, paras G – B, 2014.
5. Okoye TS. “Judges and Caged Justice in Nigeria”, *TELL Magazine*, November 16. The self-embarrassing judicial verdict of the Nigerian Court in the case of James Ibori, the former governor of Delta State who was adjudged by a Nigerian Court¹ to be innocent despite the nailing nature of evidence in the corruption allegations leveled against him by the Economic and Financial Crime Commission (EFCC) is a good illustration of a weak and compromised judiciary. The same James Ibori was convicted of the offence of money-laundering on the same set of evidence in far away United Kingdom, 2006, 18-28.
6. Ehikioya A. “UN Names 21 Dead Abuja Office Bombing Victims”. *The Nation*, 2011, 7(1884). Sept. 15.
7. Akinsanmi G. “Nigeria National Security Awareness Key to Sustainable Development”. *This Day*, Daily, 2007, 6-7.
8. Ekaterina S. “Illicit Drug Trafficking and Islamic Terrorism as Threats to Russian Security – The Limits of the Linkage”, Washington DC: Institute for World Economy and International Relations, 2005.
9. Section 16 (1) (a) – (d), (2) (a) – (d) The government is also expected to direct its policy towards ensuring the promotion of a planned and balanced economic development; to harness and distribute the material resources of the nation as best as possible to serve the common good; not to operate the economic system in such a way and manner as to permit concentration of wealth or the means of production and exchange in the hands of few individuals or of a group and to provide suitable and adequate shelter, suitable and adequate food, reasonable national minimum living wage, old age care and pensions and unemployment, sick benefits and welfare of the disabled are also to be provided for all citizens.
10. <http://www.unodc.org/unodc/en/frontpage/2013/November/weak-rule-of-law-and-lack-of-good-governance-a-major-threat-to-development-says-undoc-executive-director.html>
11. Moeed Y. “Community Targeting for Poverty Reduction”: *Lessons from Developing Countries*, (No. 8), February, 2010.
12. De Andres AP. “West Africa under Attack: Drugs, Organized Crime and Terrorism as the New Threats to Global Security.” *UNISCI Discussion Papers* No,2008:16:203-227.
13. Ross ML. “Oil, Drugs and Diamonds: The Varying Roles of Natural Resources in Civil War,” *The Political Economy of Armed Conflict: Beyond Greed and Grievance*, Ed. Karen Ballentine and Jake Sherman, Boulder, CO: Lynne Rienner Publishers, 2003.
14. Peter LM. “Narcotics Trafficking in West Africa: A Governance Challenge”. (No. 9), March, 2010.
15. Susan RA. “Corruption and Government: Causes, Consequences and Reform”, New York, NY: Cambridge University Press, 1999, 213-215.
16. UNODC. “Cocaine Trafficking in West Africa: The Threat to Stability and Development”. *Vienna: UNODC*, 8, 2007.
17. James C, Phil W. “The Invisible Tide”: *Towards an International Strategy to Deal with Drug Trafficking Through West Africa*. New York: The International Peace Institute, 2009.
18. Akyeampong E. “Diaspora and Drug Trafficking in West Africa”: *The Case of Ghana, African Affairs* 104,2005:416:429-447.
19. Affinnih YH. “Revisiting Sub-Saharan African Countries’ Drug Problems: Health, Social, Economic Costs and Drug Control Policy.” *Substance Use and Misuse* 31,2002:3:265-290.
20. UNODC, IEA, In-Depth Evaluation of UNODC’s IPA, 2012.
21. Myrdal G. “Asian Drama”. London: Allen Lane, 1968.
22. Most GF. “Globalization, Drugs and Criminalization: final report on Brazil, China, India and Mexico”, 2002. Retrieve from <http://www.unesco.org/most/globalsation/drugs.1htm>. On June 6, 2011.
23. Davidson I. “Nigeria: Hurdles against War on Drugs Trafficking”, 2008. Retrieved from <http://allafrica.com/nigeria/> on October 5, 2009.
24. Ramon O. “Nigeria Suffering for Institutional Corruption”, *The Punch Newspaper*, Friday 23rd January, 2015, 12.
25. Ibid, 1.
26. Paul S. “Corruption: Who Will Bell the Cat?” *Economic and Political Weekly* (June 7), 1997.
27. These are the Independent and Corrupt Practices Commission (ICPC) Economic and Financial Crime Commission (EFCC) and Code of Conduct Bureau. There are however several other legislations dealing with corruption in one form or the other. Some of these legislations include the Criminal Code and Penal Codes.
28. Paul W. “The New Criminology”. (New York: Harper & Row Press, 2005), 2005, 40-56.
29. Adelani A. “The Face of Corruption and the Nigerian Prison Authorities” (Ibadan, Nigerian Tribune, 28 December) p. 7. Equally recently, some military officers were court marshaled by the military authority for their corrupt and secret support for members of dreaded terrorist group known as Boko Haram, 2013.
30. In 2007 officials of the NDLEA arrested a Virgin Atlantic crew member; Mohammed Ibrahim Wudil, with drugs on a London-bound flight. The crew member, Wudil, was caught at the Lagos airport with 1.743kg of cocaine and the drug was concealed in a black polythene bag inside a hand luggage that was found in the flight compartment. He was also said to have confessed to the NDLEA that it was the third time he was trafficking in hard drugs. Shortly after the arrest of Wudil, a cabin crew official of the defunct Air Nigeria was also caught with drugs.
31. According to investigations, the Nigeria Immigration Service, Nigeria Customs Service, NDLEA officials and Aviation Security (AVSEC) of the Federal Airports Authority of Nigeria (FAAN) collude to form an enduring bribe racket at the airport; that when an officer is transferred out of the airport he works his way back. No organisation is exonerated from the bribery that goes on at the airport. Naïve inexperienced passengers who are travelling for the first time are exploited and filched of all the money, especially foreign currency, in their possession before they would be allowed to travel. And because these officials want money, it is easy to

- approach them to facilitate whatever illicit drug the passenger may have; the passenger just needs to pay some money. The Lagos airport is a money-spinning location for these security operatives and many of them unabashedly ask for the money they need before they will allow a passenger to go to the aircraft and board his flight. Some immigration officials collect foreign currency from expatriate passengers before screening them, what they called express screening. Express screening for expatriates only means that Nigerian passengers would wait or be passed slowly in the screening procession on one side of the screening room while the other side is used to quickly facilitate the movement of expatriates who paid money.
32. The first Chairman of the Agency Mr. Fidelis Oyakhilome, then a Police Commissioner and former Governor of Rivers State was smeared in a scandal from which he did not recover. Jennifer Madike, a Lagos socialite embarrassed Oyakhilome, the NDLEA and the entire country with tales of deals, friendship and accusations that linked the chairman to money and gratification from drug traffickers. It was such a damaging scandal that the agency that was trusted with such sensitive responsibilities could be so easily linked with fraud. For instance, Oyakhilome was suspended from office and in his place, Mr. Fulani Kwajafa, another policeman was appointed. Kwajafa was equally removed from office with ignominy after 31 months in office for allegedly soiling his hands in unholy and corrupt alliance with drug traffickers. Following the exit of Kwajafa, another policeman Alhaji Bappa Jama'are was chosen to succeed Kwajafa. Like his predecessors in office, the tenure of Alhaji Bappa Jama'are was attended by rampant and embarrassing reports of disappearance of already seized drugs in the custody of the Agency. Incidentally, it was Jama'are who announced the seizure of what was to be the single largest quantity of heroine estimated at 248.3 kilogrammes with a market value of N20.8 billion. The heroine was loaded in two containers and shipped into the country through Apapa Wharf by one Joe Akubueze.
 33. Morgan WT. "Drug Prohibition": *Drug Abuse Data Collection, Nigeria*. London: Longman NDLEA. Lagos, 1993.
 34. Ibid
 35. One unnamed top command official area was said to have released four drug suspects including a baron on October 23. In December 1993, a master list of some 230 names of corrupt NDLEA officials was pencilled down for sack. Three out of the four zonal commanders were sacked. In February 1994, eight out of the 64 wraps of heroine recovered from Mr. Joe Brown Akubueze, now a convict were reported stolen from the Agency's custody. All these rot occurred under the Jama'are leadership which eventually culminated in his inglorious exit as the Agency's Chairman.
 36. The appointment of Brigadier – General Musa Bamaïyi as the fourth chairman of NDLEA, by the General Sani Abacha regime was aimed at addressing some of the rot in the Agency. Unfortunately however, the tenure of General Bamaïyi turned out to be an era of raw terror. For instance, it was reported that by 1990, Nigerian segment of the international drug trade had grown significantly with national earnings from it estimated at about \$500 million¹. Although Nigeria is not a major producer of hard drugs, its position in the transit route had become prime, linking major suppliers of heroine in Asia (Pakistan, India and Afghanistan) to the consuming centers of America and Western Europe.
 37. General Bamaïyi was apparently total in his onslaught and crusade against drug trafficking as no institution or section of the society was left out. He disobeyed court orders for uncountable number of times, to an extent that high court judges threatened to jail him for contempt of court¹. Car dealers, bureau de-change operators, students, farmers, market women and even his operatives were not left out, in his war against drugs crusade. In spite of his loquacious and brutal campaign, there was no reported major interception of narcotics or arrest of drug barons during his tenure. If anything, he was only successful in bursting the growth and sale of marijuana in Nigeria.
 38. Gacitua M, Estanislao S, Aasland HN, Quentin W. "Institutions, Social Networks and Conflicts in Guinea-Bissau" in *Conflict Livelihoods and Poverty in Guinea-Bissau*, B. Barry, E. G. E. Creppy, E. Gacitua-Mario and Q. Wodon, eds. World Bank Working Paper No. 88. Washington D.C.: World Bank, 2007.
 39. Davin OR. "Cocaine and Instability in Africa: Lessons from Latin America and the Caribbean," *Africa Security Brief*, 2010, (5).
 40. Ellis S. "West Africa's International Drug Trade", 2009. *African Affairs*, 108/431,171-196
 41. <http://www.ftc.gov/opa/2004/03/jointhtml> accessed on 15th May, 2012.
 42. Kemson LK. "Impacts of Transborder Crimes on Sub African Region: A wake Up Call", *Journal of World Affairs*, 2011. <http://clinton4.nara.gov> (accessed on March 12)
 43. Williams S. "Typology of Government Contact with Transnational Crime". *Matthew B. Ridway Center for International Security, Studies at the University of Pittsburgh*, 2004.
 44. Jones M. Drugs-No Going Bank on Death Penalty, *Leadership Newspapers 10th March*, 2015.
 45. UNODC. "Drug Trafficking as a Security Threat in West Africa". NDLEA institutional wellbeing continues to be of extremely low priority for every substantive government in Nigeria, 2008.
 46. Jonathan W. "Statement before the Sub-committee on Africa of the House International Relations Committee Washington", *DC Internet Material*, Downloaded on September 11, 2010, 1996.
 47. NDLEA Seizes 3 Container Loads of Cocaine, 2010. *The Administrator*, Retrieved from <http://thetreetjournal.org/pages/index.php?> On February 2, 2011. Nigeria's drug trade: That's all they needed, Illicit drugs flow in from all over and then flow out to Europe. (2007, December 6). The Economist Newspaper Limited.
 48. Abidde SO. "Redefining Nigeria's National Security", 2005. Retrieved from <http://www.nigerisvillagesquare1.com/articles/abide/2005/01/redefining-nagerias-national-security.html/>
 49. Afolayan AA. "Trans-border Movement and Trading". *In Trans-border Studies*. No. 13, Ibadan, 2000.
 50. Mawaring MG. "Gangs and other Transnational

- Criminal Organization as Transnational Threats to National Security and Sovereignty”, 2008. Retrieved from <http://www.gwu.edu/.../061024-transnational-crime-manwaring-paper.pdf>
51. Utulu A. “How Customs Exposed Smugglers in Seme Border”, 2010. Retrieved on February 23, 2010; From <http://www.allafrica.com/stories/201002230977.html>
 52. Omede AJ. “Nigeria’s Relation with her Neighbour”. Lagos: Kamla-Raj, 2006.
 53. Heidenheimer AJ, Johnson M. “Political Corruption”: A Handbook. Brunswick and Oxford: Transaction, 1987.
 54. Shelly LI. “Transnational Organized Crime: An imminent Threat to Nation’s State?” *Journal of international affairs*, 1995, 48(2).
 55. Hills A. “Border Control Services and Security Sector Reform”, *Geneva Centre for the Democratic Control of Armed Forces Working Paper Series No. 37*, July, 2002, 8.
 56. Marenin O. “Challenges for integrated border management in the European Union”, *Geneva Centre for the Democratic Control of Armed Forces*, Occasional Paper No. 17, p. 28. A border provides a practical *opportunity* for a State to help maintain its internal security by preventing external threats from affecting its territory and people. A border is subsequently a separation between States but also a process of control on behalf of their national security¹. Nonetheless, demands made by the current global economic system require a certain degree of border openness. Hence, borders should not just be exclusive (refusing entry to;8 undesirable products and people); they should also be inclusive (facilitating the movement of individuals and goods). It is, therefore, important that States find a balance between the need for mobility and control between “doors and walls” 2010.
 57. Fall H. “Border Controls and Cross-border Crime in West Africa”, in *AYISSI Anatole and SALL Ibrahima (ed.) Combating the Proliferation of Small Arms and Light Weapons in West Africa: Handbook for the Training of Armed and Security forces*, UNIDIR/2003/13, 2003, 89-90.
 58. SEESAC, “Cross Border Trafficking In South Eastern Europe: Assessing Trafficking Activities In The Southern Adriatic Region, 18 October, 2003: 6.
 59. Adejo PY. “Crime and the cross-border movement of weapons: the case of Nigeria” in *AYISSI Anatole et SALL Ibrahima (ed.) Combating the Proliferation of Small Arms and Light Weapons in West Africa: Handbook for the Training of Armed and Security forces*, UNIDIR/13, 2003, 98.
 60. SEESAC note 59, 13-14.