HUMAN SECURITY AND LAND BORDERS CLOSURE: A HISTORICAL PERSPECTIVE

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ABSTRACT
The paper examined how concerned of national interest and human security led to Nigeria land border closure in 2019.The paper employs the historical method to reviewed and analysed Data. The work adopted the liberal theoretical framework which justified trade liberalization and free movement of people and goods from one place to another as a gateway for modernization and economic development. The paper argued that, the best decision taken by Nigeria federal government was the closure of her land border which stimulate economic growth and enhanced human security. The major findings of the paper revealed that smuggling activities in Nigeria is due to porous nature of Nigeria land borders, consequently insecurity and inflation have been on the increase with serious security implications on the citizens wellbeing and security. The paper also revealed that what influenced government closure of the borders was due to proliferation of light and heavy weapons across the Nigeria borders hence the executive order for border closure in 2019.The paper concludes that despite federal government acclaimed success of border closure of the nation land borders the closure did not yield the desire results.

Introduction

The movement of man from one place to another predates written history. Since the Stone Age, man has always moved from one place to another for various reasons which range from searching for food as hunter gatherers to seeking for asylum from persecution or wars in the contemporary period.[5] The movement of

[5] Yeboa F. Garba, "Free Movement and Regional Integration in the ECOWAS Sub-Region", in J.K Teye ed., Migration in West Africa; *Springer Series*(2022):12-14

people from one place to another has socio economic and political implications for both the original location and the destination. The rise of Westphalian styled states with defined borders from 1648 raised the consciousness of nations to regulate movements into and outside their territorial boundaries for security, economic, political and social reasons. The experience of the Great Wars (1914-1918 and 1939-1945) further triggered debates about whether or not states should maintain their borders strictly or whether there should be less strict restrictions. In the context of Africa, colonialism divided ethnic nationalities in the creation of colonies; later making migration impossible as the groups had to maintain contact with their kin. The question of trans-border movements became even more relevant with the rise of international, regional and sub-regional organizations such as United Nations, Africa Union (AU) and Economic Community of West Africa States (ECOWAS) as countries with different politico-economic capacities became constantly integrated through treaties, charters and protocols which permitted movements of people across national borders. Trans-border movements of people became a global issue with supra natural frameworks needed to control it. The negative impacts of these movements have been felt more by the economically advanced countries and the consequences have been far reaching for these countries. The Federal Republic of Nigeria, for example, has endured the negative impacts of trans-border movements in the West African region necessitating the temporary closure of her borders in February 2019.[6] This paper primarily is concerned with the reasons for the closure of Nigeria land borders which mainly hinge on issues of human security as it affects Nigerians. Secondarily, the paper historicizes the policies and protocols guiding trans-border movements and integration; the position of the Federal Republic of Nigeria concerning the protocols (particularly the 1979 ECOWAS Free Movement Protocol) and espouses theories backing free movement of persons.

An Overview of Border Closure in Nigeria

Border Closure globally, is a protectionist mechanism which nation-state deployed to prevent the movement of unwanted persons and goods from territorial jurisdiction into into it Territory.It can also be restriction or ban on the importation and exportation of some "essential" goods or articles by the state, historically border closure in Nigeria can be traced back to the era of military rule in 1979 where measures were imposed on some items that found their way into the country.[7] Within that period it was Sustained up to shagari regime.Restrictive measures such as the used of import licences and quotas were used to curb the influx of rice importation into Nigeria.Only few individuals and government agencies were issued licences at no tarrif charge.[8] It is Worthy of note that the Shagari's government went as far as expelling many African migrants which was term "Ghana most go" an era in Nigeria history which witnessed many Ghana leaving Nigeria against their wishes.

In a similar maner the military regime of general muhammadu Buhari of 1983 - 1985,he also order the closure of the borders as a measure against acute smuggling of drugs and agricultural produce, human trafficking, prostitution, child labour, insurgency etc.[9]

Furthermore,the democratic government of president Olusegun Obasanjo in 2003 order the partial closure of borders due to an alarming increase in the crime rate along the nation borders.It is partinent to emphasized that border closures basically basically as rationalized and justified consistently by various regimes in Nigeria was enforced on interest of national security, Human security and the socio economic

[6] T. Yeboah et al., "Broadening the Remittance Debate: Reverse Flows, Reciprocity and Social Relations", in *Journal of International Migration* (2019):1-22

[7] Adepoju.A. Expulsion of Illegal from Nigeria.Round two migration.World magazine 14(5)1986.P 21

[8] Adepoju.A. Undocumented migration in Africa.Trends and Policies, international migration 21 (2) 1983.P 204

[9] PUNCh Newspaper August 2019

challenges that confronted the nation as of that period.[10]

In the same vein, the wake of the last quarter of 2019, the federal government of Nigeria under the leadership of president Muhammadu Buhari ordered for the closured of all borders connecting Nigeria with all others African neighboring countries of Cameroon, Chad, Niger and Benin in central Africa, central Africa, west Africa and West Africa respectively.

The Liberal Theory and Trans-Borders Movements

The central idea of liberalism as a theory of international relations is cooperation and the essentiality of interdependence among countries. The theory, championed by scholars such as Joseph Nye and Keohane draw inspiration from the idealist ideas of idealist such as World War 1 era American President, Wilson Woodrow and his idea of collective global security post World War.[11] Liberal scholars argue that due to globalization, interactions among countries and interdependence is key to the prosperity of countries. Liberalist refute the pessimistic theorizations of the Realist scholars such Hans J Morgenthau and John Singer and argue that international cooperation is possible and that no country can exist in complete isolation from the other countries. [12] The liberalists argue that organizations such United Nations and sub-regional organizations such as ECOWAS are central to international integration. The role of Multi-National Corporations (MNCs) and big corporations in the integration process is also emphasized by the liberal theorist. A free border policy or less strict immigration laws, the liberals argument was key to international development and growth. Under a free border policy, international cooperation and the integration process is hastened; international organizations play the role of regulating the integration by initiating supra national laws. Apart from facilitating economic and cultural integration, the liberalists argue that interdependence reduces the possibility of war.

A Historical Overview of Free Movement Protocols

The end of World War II and its consequences drew the attention of the world towards a new paradigm. The idealist reignited their push for international cooperation and the need to establish a global security framework that would guaranty global peace and security as well as the development of individuals globally. The United Nations was established in 1946 with its headquarters in San Francisco, New York.[13] The United Nations is dedicated to ensuring global peace and security through its charters, protocols, conventions and agencies which member countries are party to. Article 13 of the Universal Declaration of Human Rights (UDHR) adopted and ratified in 1948 by almost all member countries of UN (including Nigeria) categorically stating the right of individuals to travel and settle wherever they wish.[14] Regionally, the African Union, initially known as Organization of African Unity founded in 1963 has played an important role in the integration of Africa through the Free Movement of Persons Protocols adopted in 2018. The African Union Free Movement Protocol has 11 articles. Article 5 of the protocol addresses the question of progressive realization stating thus:

> *The free movement of persons, right of residenceand right of establishment shall be achieved progressively through… implementation of the right of entry*

[10] Aniukwu.c. Nigeria's border closure policy: Appraising it's impact and prospect.university of Illinois,Ubana-Champaign ,2020 P 1 . https:///www.researchgate .net/publication July 28 ,2024

[11] R. O Keohane and J. S Nye, *Power and Interdependence: World Politics in Transition* (Boston: Little Brown, 1977), 25.

[12] J. M Owen, " How Liberalism Produces Democratic Peace", *Journal of International Security;* Vol. 19, No. 2 (1994):2-5

[13] F. Kratochwil and J. G Ruggie, " International Organization: A State of the Art on the State", in *International Organizations Journal*; Vol. 40 (1986): 3-13

[14]Universal Declaration of Human Rights (UDHR) 1948

and abolition of visa requirement and grant right of residence.[15]

Additionally, the member states of AU are tasked under the charter to coordinate and harmonize the activities of their sub-regional economic organizations so as to achieve the integration process at the level of each region. The ECOWAS was tasked to supervise the integration process in the West African region. The African Continental Free Trade Agreement was signed in 2019 with an aim of opening the area for free trade relationship among African Countries. Nigeria and 54 other African countries were signatory to this agreement; however, three weeks after the agreement, the country closed her land borders.

The primary concern of this paper is the ECOWAS Free Movement of Persons Protocol enacted by ECOWAS Heads of Member States and which came into force in 1979, four years after the organization was established.[16] The protocol aimed at integrating the region and facilitating the economic development of the West Africa sub-region. The protocol provides a framework for the free movement of citizens of ECOWAS member states within the region, their rights to settle and establish businesses in any country within the West African region. Citizens of member states can stay for 90 days in any member country without visa. In order to strengthen the 1979 protocol, there have been supplementary protocols in 1985 which states the guidelines for implementing the 1979 protocol and protect community members from being deported; and the Supplementary Protocol 1986 mandating member countries to protect citizens of West African countries residing or doing business in their country.[17] The Supplementary Protocol of 1989 states that signatories to the 1979 Protocol must settle in a peaceful manner any dispute which may arise from interpretation of the treaty.[18] In 1992, there was a decision to introduce common trans-border regulations, particularly immigration laws so as to facilitate easy movements of persons. A year later, in 1993, article 50 of the Revision of ECOWAS Treaty mandated countries to remove all barriers against free movement of persons in West Africa. Several other decisions were made regarding the issue of free movement of persons in West Africa such as the migration dialogue of 2001. The Federal Republic of Nigeria has always been a major signatory to this Protocols and a major campaigner for integration of the region.[19] It is pertinent to note a major clause in the Free Movement Protocol of 1979. Member states of ECOWAS were given the right to refuse admission to any community citizens who were inadmissible under the domestic laws of the member country.[20] In other words, where the domestic law of destination countries doesn't permit the movement of community citizens, the domestic laws take primacy over the supranational laws. Member countries were also empowered to reject migrants on grounds of national security or violation of conditions of residence under the protocol. The impacts of these protocols which precipitated the decision of the Federal Government of Nigeria to close its border are discussed hereunder.

Closure of Nigeria Land Borders in 2019

Although The Federal Republic of Nigeria has always been a vocal champion of integrating West Africa through the free movement and free trade initiative of ECOWAS, the government of the Federal Republic of Nigeria in 2019 indefinitely closed all her land borders. The decision of the Federal Republic of Nigeria is primarily enforced by human security concerns. The closure is backed by the 1979 Free Movement of Persons Protocol framework which allows Nigeria to take such decisions when it concerns national security. Throughout the period of the closure, land borders would not be accessible albeit the country seaports and terrestrial borders remain open. This move is quite different from the partial closure of July 2015. The closure was comprehensive and indefinite. The Federal Republic of Nigeria appeals to ECOWAS member countries to

[15] The AU Free Movement of Persons Protocol, http//:www.ILO.Org.com. accessed 22 January, 2023

[16] J. O Bolarinwa, "The ECOWAS Free Movement Protocol: Obstacle or Driver of Regional Integration"; in *Insight on Africa Journal* ; Vol. 7, No.2 (2015): 154-168

[17] A. Opanike and A. A. ,"ECOWAS Protocol on Free Movement and Trans-border Security in West Africa", *in Journal of Civil and Legal Sciences*; Vol. 4, No. 154 (2015): 5-15

[18] *Ibid*

[19] *Ibid,* 7

[20] Luka Dinshak and Walnshak Danfulani," ECOWAS and Human Security in West Africa: A Review of the Literature", *in International Journal of Humanities and Social Sciences*; Vol. 23, No, 12 (2018): 75-82.

respect this decision as it is a matter of national survival.

Human Security as Justification for Land Border Closure

The concept of human security is adopted in this paper to analyze the impacts of a free border policy on Nigeria and Nigerians and why the decision to close the land borders has become essential for the security and economic prosperity Nigeria and her citizens. The concept of human security, one could say, is a modern paradigm which replaced the notion of military or national security in the 1950s. The origin of the concept could be traced to the aftermath of the Second World War where post war scholars pointed at the huge human lives lost (slaughter of Jews at Auschwitz) as the major consequence of the war, not the damages suffered by combatant forces. The concept of human security was popularized by the United Nations Development Programme Report of 1996.[21] The report argued that conditions of humans is very important in determining their vulnerabilities and development in an area or community. Gasper Des, in his work, *Security Humanity; Human Security as Security Discourse,*[22]elucidated on the concept of human security, arguing that the concept focuses on individuals as a primary measure of growth and not the state. Human security has seven key components namely: personal security, community security, state security, health security, economic security, food security, and environmental security. All these components as discussed hereunder influenced the decision of the Federal Republic of Nigeria to close her land borders.

First, the open border policy of the Federal Republic of Nigeria in the past had an indirect adverse impact on the security of the country. The continuous flow of arms into the country via porous land borders empowered criminals. Gun running became a lucrative venture for men of the underworld.[23] Some renowned personalities such as Dahiru Mangal was accused of utilizing the open borders in the past to import arms into the country. With open borders, there was also free movement of terrorist in and out of the territory of Nigeria. The trend is aides by the complicity of border security outfits such as Nigerian Immigration Service and Nigerian Customs. The massive migration of Fulani herders from the Senegambia region via the land borders into Nigeria exacerbated the farmer pastoralist conflict particularly in North Central Nigeria, with International Crisis Group reporting that about 60,000 people have been killed between 2011 and 2018 and a further 3,000 displaced as a result of the conflicts.[24] Boko Haram Insurgents, operating majorly in the North Eastern part of the country moved freely around the Chad Basin area during the open border era. The actions of these rogue groups as highlighted above affected human security in the Federal Republic of Nigeria. The massive lost of lives resulting from the activities of bandits and insurgents infringe on the personal security of citizens.

The damage of farms and the destruction of means of livelihood affects food security as food crops are damaged; the economic security of Nigeria citizens was also affected because many Nigerians depend on agriculture as their only income earning endeavor. Importing food items affects the income of local Nigerian farmers whose production capacity is limited by the unfavorable market forces. Importing foreign food products into the country affects the local farmers as they cannot compete with the imported products. The result is that of the over 4000 Square miles of cultivable farmland available, over 50% is underutilized.[25] This has affected the productive capacity of Nigeria in the long run. The displacement of people from their ancestral homes affects their communal security and the damage to the ecosystem affects the environmental security of citizens. In some cases, water bodies are poisoned or forest

[21] United Nations Development Programme, Human Development Report, 1996 (New York: Oxford University Press, 1997),2.

[22]Des Gasper, "Security Humanity: Human Security as Concepts and Discourse", in *Journal of Human Development*; Vol. 6, No.2 (2005): 12-17

[23] Luka Dinshak and Walnshak Danfulani," ECOWAS and Human Security in West Africa: A Review of the Literature", in *International Journal of Humanities and Social Sciences*; Vol. 23, No, 12 (2018): 75-82.

[24] International Crisis Group, "Herders Against Farmers: Nigeria's Expanding Deadly Conflict", in *Africa Report;* No. 252 (2017): 13-15

[25] Luka Dinshak and Walnshak Danfulani," ECOWAS and Human Security in West Africa: A Review of the Literature", in *International Journal of Humanities and Social Sciences*; Vol. 23, No, 12 (2018): 75-82.

destroyed.[26] It's worthy of note that in situations where conflicts were witnessed, the victims had no access to health facilities and the activities of Joint Task Force personnel in such communities a major threat to human security as they were accused of infringing on the human rights of civilians.

The Federal Republic of Nigeria believes that an open border policy hurts the Nigerian economy in various ways and affects aspects of the human security of citizens.[27] The smuggling of goods in the country robs the country of significant commission that could had been earned. Smuggling also kills the local industries in Nigeria as they cannot compete with the cheaply smuggled goods due to the high cost of producing the goods at home. This greatly affects the economic security of the citizens who are out of business and fall into poverty. The settlement of migrants into the Federal Republic of Nigeria also takes away the scarce jobs from Nigeria citizens hence the reason for closing land borders. There is a growing conflict between the citizens of Nigeria and the migrants into the country.

The closure of the land borders of the Federal Republic of Nigeria was necessitated by the high rate of human trafficking as reported by National Agency Against Trafficking in Persons (NATIP).[28] The Federal Republic of Nigeria is a source of trafficked individuals. Between the year 2011 and 2020, about 3,000 people were trafficked from the northern part of Nigeria and transported to North Africa through the Sahara en route southern Europe. Over 40 million children and women have been trafficked in West Africa.[29] Despite international efforts to tackle the malign of human trafficking, it has persisted. On 25th December, 2003, the Trafficking Protocol against human trafficking. In June 2006, over 117 countries and 137 parties were signatories. They also exist the AU Commit Campaign on Combating Human Trafficking, 2010 and several other protocols.[30] These efforts were not completely successful and the trend persisted. Human trafficking is an infringement on the human rights of the victims and affects the personal security of the citizens. Walnan described Human Trafficking as modern slavery because the victims, mostly women and children, are forced to engage in forced labor; and in some cases, are sexually exploited.[31] Victims of human trafficking are denied proper medical care (affecting their health security) and their human rights are totally violated. West Africa has been a human haven since the 90s. Trafficking in drugs across the across Nigeria border adversely affects the Federal Republic of Nigeria.

The Federal Republic of Nigeria strongly believes that closing her land borders is the best remedy to abuses on human security.

Conclusion

The Paper has broadly examine the rationales behind Nigeria federal government closure of land borders .It evaluates various challenges associated with security of the country from 2019 .The study observed that smuggling activities along Nigeria transnational borders with her Africa neighbouring states have not been stop due to the porous nature of the nation borders , corruption among some of the border officials ,ineffective or lack of strong objective surveillance mechanism for cross border security .From the foregoing therefore ,the paper concludes that despites closure of Nigeria land border in 2019 on the grounds of human security ,the challenges of human security still remains a major concerned

The paper recommends, that in term of cross border movements there should be concerted effort on modernization of Custom, Immigration cum other related border security agencies using more information technology and formal management/administration procedures that would enhance accountability and transparency.

[26] I. A Gambari, *Political and Comparative Dimensions of Regional Integration: The Case of ECOWAS,* (New Jersey: Humanities Press International INC.,(1991): 2-9.

[27] Gambari, *Political and Comparative*-----,7

[28] Luka Dinshak and Walnshak Danfulani," ECOWAS and Human Security in West Africa: A Review of the Literature", in *International Journal of Humanities and Social Sciences*; Vol. 23, No, 12 (2018): 75-82.

[29] Gambari, *Political and Comparative*-----,7

[30] *Ibid,8*

[31] Luka Dinshak and Walnshak Danfulani," ECOWAS and Human Security in West Africa: A Review of the Literature", in International Journal of Humanities and Social Sciences; Vol. 23, No, 12 (2018): 75-82.

Bibliography

Aniukwu.c. Nigeria's border closure policy: Appraising it's impact and prospect.university of Illinois,Ubana-Champaign ,2020 P 1 . https:///www.researchgate .net/publication July 28 ,2024

Adepoju.A. Undocumented migration in Africa.Trends and Policies, international migration 21 (2) 1983.P 204

Adepoju.A. Illegals and expulsion in Africa:The Nigeria experience; international migration review ×viii(3) 1984 P.426

Adepoju.A. Expulsion of Illegal from Nigeria.Round two migration.World magazine 14(5)1986.P 21

Yeboah, Y., Garba, Yeboa and Kwasi H. "Broadening the Remittance Debate: Reverse Flows, Reciprocity and Social Relations", in *Journal of International Migration* (2019):1-22.

Universal Declaration of Human Rights (UDHR) 1948

United Nations Development Programme, Human Development Report, 1996 (New York: Oxford University Press, 1997), 2.

The AU Free Movement of Persons Protocol, http//:www.ILO.Org.com.accessed 22 January, 2023

Secondary Sources (Books)

Owen, J. M. "How Liberalism Produces Democratic Peace", Journal of International Security; Vol. 19, No. 2, 1994.

Opanike, A and A. A. Odenike. "ECOWAS Protocol on Free Movement and Trans-border Security in West Africa", in Journal of Civil and Legal Sciences; Vol. 4, No. 154 (2015): 5-15 .

Official documents.

Kratochwil, F. and Ruggie, J. G. "International Organization: A State of the Art on the State", in International Organizations Journal; Vol. 40 (1986): 3-13.

Keohane, R.O and Nye, J. S. Power and Interdependence: World Politics in Transition .Boston: Little Brown, 1977.

Journals

Gasper, Des. "Security Humanity: Human Security as Concepts and Discourse", in Journal of Human Development; Vol. 6, No.2 (2005): 12-17.

Garba, Yeboa F. "Free Movement and Regional Integration in the ECOWAS Sub-Region", in Teye, J.K ed., Migration in West Africa; Springer Series(2022):12-14

Gambari, I. A. Political and Comparative Dimensions of Regional Integration: The Case of ECOWAS. New Jersey: Humanities Press International INC. 1991.

Dinshak, Luka and Danfulani, Walnshak" ECOWAS and Human Security in West Africa: A Review of the Literature", in International Journal of Humanities and Social Sciences; Vol. 23, No, 12 (2018): 75-82.

Bolarinwa, J. O "The ECOWAS Free Movement Protocol: Obstacle or Driver of Regional Integration"; in Insight on Africa Journal; Vol. 7, No.2 (2015): 154-168.