Vigilantes in Counterinsurgencies: Nigerian Civilian Joint Task Force in Perspective

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Abstract

Historically, people or groups of citizens have risen to the challenge of combatting perceived or genuine threats to the security of their community and carried out actions in that regard without legal authority. Such groups are generally referred to as “vigilantes.” Their rise usually emanates from the seeming inability of constituted authority to enforce law and order, or perceived delays in carrying out justice. This study examines the Anti-Communist Vigilantes in the Philippines, Anti-Taliban Vigilantes in Afghanistan and the Civilian Joint Task Force in Nigeria. The Civilian Joint Task Force in particular has assisted the Nigerian military in its counterinsurgency operations against the Boko Haram terrorist group in the north-eastern part of the country. However, the continued existence of the group and certain actions of the group’s members have raised questions about their legality, control, conduct and the future of the members of the group at the termination of the insurgency, which this paper explores.
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Violence takes much deeper root in irregular warfare than it does in regular warfare. In the latter it is counteracted by obedience to constituted authority, whereas the former makes a virtue of defying authority and violating rules. It becomes very difficult to rebuild a country, and a stable state, on a foundation undermined by such experience.

—Liddell Hart

Though Liddell Hart’s statement was focused on guerrilla warfare, it appropriately describes societies where vigilantes are employed in counterinsurgency operations.

Every sovereign state is responsible for the security of its citizens and provision of a secure environment for the lawful pursuit of livelihood, individual well-being and national development. In return, citizens submit their loyalty to the state and subject themselves to the laws of the land. The great English theorist, Thomas Hobbes referred to this mutually beneficial relationship between the citizen and the state as the “social contract.” Nations establish institutions and structures to guarantee the maintenance of law and order, and provide general security, in fulfilment of their part of the social contract. These institutions include the judicial system to adjudicate disputes, the armed forces to ensure physical security, and the civil police to enforce law and order. However, due to genuine or a perceived failure of the established institutions of government at times some citizens organize themselves to provide these functions to their communities in the absence of legal authority. These organizations are broadly referred to as vigilantes.

The threats of communism and terrorism precipitated the rise of anti-Communist vigilantes in the Philippines and anti-Taliban vigilantes in Afghanistan respectively, while the advent of Boko Haram insurgency in Nigeria heralded the manifestation of the
Civilian Joint Task Force (CJTF). The CJTF has greatly assisted the Nigerian military in its counterinsurgency (COIN) operations against Boko Haram. The military has employed members of the CJTF, who have local knowledge of the general area, in identifying Boko Haram members and their hiding places. CJTF members have also served as scouts and guides during military operations with tremendous successes. However, the existence of the group has raised questions about its legality, control, conduct and the future of the CJTF members at the termination of COIN operations against Boko Haram, which underlines the significance of this study.

The purpose of this study is to examine the phenomena of vigilantes in COIN operations with a focus on the CJTF in Nigeria. In doing so, the paper will contextualize the meanings of vigilante and counterinsurgency as they apply in this discourse. It will highlight the evolution and activities of anti-communist vigilantes in the Philippines and anti-Taliban vigilantes in Afghanistan as case studies, with a view to drawing lessons for application with the CJTF. The aim of the study is to add to the existing body of strategic knowledge on the subject and provide inputs to guide policy decisions in dealing with challenges arising from the existence and operations of the CJTF in Nigeria. This research work is limited to unclassified sources, and uses historical secondary data for analysis.

Vigilantes

The Merriam-Webster dictionary defines vigilante as, “a member of a volunteer committee organized to suppress and punish crime summarily or a self-appointed doer of justice.” This definition isolates vigilantes from legally established law enforcement agencies but does not acknowledge that some governments give implicit backing to some of these otherwise illegal organizations, and therefore is not adopted for this
study. According to Amnesty International, “vigilantes are unarmed, voluntary citizen groups created in local communities to help the security forces confront common criminalities and social violence by arresting suspected delinquents and handing them over to the police.”

This concept, though appropriate as it relates to the responsibility of every citizen to aid the civil police to enforce law and order, precludes the use of arms which limits its value for this research project. In this discourse, the term vigilantes will include elements of both approaches above, but include the use of arms, as observed in the activities of some of the organizations to be reviewed. The term will include organizations or groups that may not be recognized by laws of the host nation but have the support of citizens or condoned by governments or government agencies.

**Counterinsurgency**

The United States Government Counterinsurgency Guide defines insurgency as, “the organized use of subversion and violence to seize, nullify, or challenge political control of a region.” Therefore, the central issue in insurgency is for the insurgents to gain control and legitimacy. Thus, insurgent groups apply a mixture of subversion, sabotage, political, economic, psychological and military actions to achieve their political aim. On the other hand, the U.S COIN Guide defines COIN as “comprehensive civilian and military efforts taken to simultaneously defeat and contain insurgency and address its root causes.”

This view encompasses the application of the diplomatic, informational, military, and economic instruments of national power as well as all other tools of statecraft to ensure the effective defeat of the insurgents. It also challenges policymakers to focus on the root causes of the insurgency in order to ensure its total defeat and the attainment of the desired equilibrium. This approach is comprehensive and therefore
adopted for this discourse. The peculiarities of the Anti-Communist Vigilantes in the Philippines, the Anti-Taliban Vigilantes in Afghanistan and the CJTF Fighting Boko Haram in Nigeria makes it essential to clarify the context in which the terms vigilante and COIN will be applied in the discourse.

Anti-Communist Vigilantes in the Philippines

The Communist Party of the Philippines (CPP) was established on November 7, 1930 out of a left-wing worker-centered faction of Nacionalista Party (Nationalist Party). The party was one of the disparate groups that fought first against Spanish, then the Japanese and later, American occupation of the Philippines. It became a more organized and formidable political force after independence of the country from the United States on 4 July, 1946. The end of the Second World War and the intense ideological struggle between the Soviet Union and the United States culminated in the capture of the entire membership of the Communist Party Politburo by the West-supported government of Ferdinand Marcos between 1973 and 1977. However, after Marco’s ejection from office in 1986, incoming President Corazon Aquino failed to take advantage of the situation of the weakened Communist Party, and rather opted for reconciliation to fulfill a campaign promise. The Communists, however, refused to lay down their arms and the country experienced a resurgence of violence after a 60 day ceasefire that afforded them respite and an opportunity to regroup. The Maoist CPP and its military wing, the New People’s Army (NPA) constituted a great threat to the Aquino government and the insurgency affected about 80% of the country’s 74 provinces.

The leadership of the CCP modified the Communists’ armed struggle by creating urban guerilla warfare units or what was then referred to as “Sparrow Unit Operations”
or simply, “the Sparrows” in actualization of Sun Tzu’s maxim, “take the enemy’s fortress from within.” The Sparrow Units unleashed a wave of violence in the cities, while guerilla activities intensified in rural areas. The failure of state security forces to curb the rising violence necessitated the formation of citizen militias to protect their communities against the Communist insurgents. The most prominent of such groups was the Alsa Masa (Rising of the Masses) in Davao, a city on Mindanao Island, which successfully curtailed the activities of the Sparrows. Other citizen-organized anti-Communist groups spontaneously sprung to defend their territories, and were dubbed “vigilantes” by leftist groups and the media.

The successes recorded by the Alsa Masa in the city of Davao became a model replicated in other cities and urban centers. It restored law and order to Davao and brought peace to the lives of members of the military, the police and the civilian populace. Encouraged by the successes of the Alsa Masa, the Aquino Government launched a nationwide program to organize the formation of civilian volunteer self-defense organizations or “vigilantes” called “Nakasaka” in areas affected by the insurgency. Members of the vigilantes assisted the government security agencies in pinpointing rebel hideouts, guarding villages and essential infrastructure, as well as identifying mass graves of victims of the Communist insurgents. President Aquino was so impressed with the activities of the vigilantes that she described them as “embodying a brand of people-power community action, of the type that won her the presidency.”

By end of 1988, anti-Communist vigilante activity was responsible for the surrender of nearly 10,000 Communists and their sympathizers due to fear of the vigilante actions.
Subsequent governments in the Philippines sustained the use of vigilante members to counter the Communists and other criminal activities, even recruiting former members of the NPA. The Philippines Government integrated some of the vigilante groups into the Government-formed Civilian Armed Forces Geographical Units (CAFGU). The most prominent of the groups affiliated to CAFGU included, Almara, the Black Fighters (operating in Davao City), and the Alsa Lumad. However, some human rights groups have queried the activities of the Philippine vigilantes due to their violations of the rights of citizens and extra judicial killings. In 1988, Amnesty International reported strong evidence that these groups had committed grave violations, apparently with the knowledge or acquiescence of the military, and that they constituted the most serious human rights problem in the Philippines.

In 2006, the U.S. State Department reported that vigilante groups were suspected of conducting summary killings of suspected criminals in two major cities and local officials appeared to condone and even encouraged them, citing cases in Davao City and Cebu City. Peter Kreuzer, a Senior Research Fellow at the Peace Research Institute in Frankfurt, Germany, indicated that powerful individuals in the Philippines controlled vigilante groups to further their personal interests when he said, “upholding private control over means of violence furthered their interests as a political class, even though it weakened the state.”

A vigilante culture has taken root in the Philippines, as manifested in the anti-drug war of the current President of the Philippines, Rodrigo Duterte and reflected in the Manila Times of September 2016. This culture of impunity enabled those in power, including officials, private warlords and businessmen vigilantes to take retribution
against those whom they felt had acted against their interests. It is obvious that various interest groups have hijacked the original intent of establishing the vigilantes, which was to fight the growth and spread of Communism in the Philippines and now use vigilantes for their personal objectives, even to the detriment of the state. The continuous existence of vigilante groups undermines constitutional order and challenges the sovereignty of the Philippines and the ability of its government agencies to enforce law and order. It is pertinent for the Philippines to establish clear guidelines and state control over activities of the vigilantes or totally outlaw their existence so the state can exert effective control over the application of the instruments of violence.

Anti-Taliban Vigilantes in Afghanistan

U.S. Senator John McCain, referring to the White House time table for the proposed withdrawal of U.S. troops from Afghanistan by end of 2016 stated, “the lack of U.S. and international presence… would only create a security vacuum in key parts of Afghanistan, and we have seen what fills similar kinds of vacuum in Syria and Iraq.”

Throughout its previous periods of occupation--the British (1838-1919) and the Soviet (1979-1989)--Afghanistan had vigilantes in one form or another. Warlords had armies that fought occupying forces and protected their various interests. However, the rise of the Taliban and their assumption of power in 1996 wrested control from the Mujahedeen warlords, until a U.S.-led coalition drove the Taliban out in 2001. Since then, the Taliban political movement has continued to wage an insurgency against successive governments in Afghanistan, with the aim of overthrowing the government and re-establishing their rule in the country. In response to this resurgent threat, different Afghan groups have organized themselves into various vigilante forces to fight
the Taliban and prevent their intended return to power. Some of the groups work in concert with the central government, while others operate independently.

In September 2004, the BBC News reported the trial and sentencing of three American citizens accused of vigilante activities in Afghanistan. Jonathan Idema, Brent Bennett, Edward Caraballo and four Afghans working for them were accused of kidnapping and torture. The Afghan Government further accused the Americans of illegal entry into the country. Idema, the group leader, claimed that Afghan and U.S. authorities approved his work. Idema who had been in Afghanistan in the fall of 2001, claimed that he was a former member of the American Special Forces. The court sentenced Idema and Bennett to ten years each, Caraballo eight years and the four Afghans were sentenced to between one and five years in jail. The incident highlighted the existence of vigilante groups fighting the Taliban in Afghanistan.

Leaders of the Shinawari tribe, a Pashto-speaking Afghani tribe of eastern Nanghahar province, held a Jirga (local Afghan council of tribal elders) in February 2010 and agreed to keep the Taliban out of the six districts of the province. The written agreement specified that anybody who allowed the Taliban in their village was to pay one million Afghani ($10,500 USD) fine and, additionally their homes would be burnt. The agreement also specified that no one was to plant poppies, source of heroin, and that their estranged brothers who had hitherto joined the Taliban could be allowed to return home under the supervision of their tribes. The agreement presented the government with the possibility of turning the Pashtun tribes, the main supporters of the Taliban insurgency against the Taliban. Their leaders were also the ones that bore the
brunt of Taliban attacks in order to dissuade them from galvanizing local opposition against their activities.

The Afghan Government was initially in approval of the idea and was inclined to apply the Shinwari model to the rest of the country. However, Richard Tapper, professor emeritus of anthropology at the College of Oriental and African Studies in London cautioned against the idea, citing the possibility of its being exploited for tribal interests, perpetuating rivalries and undermining central authority.35 A lawmaker in the Afghan Government also cautioned that bankrolling tribal leaders “might create new centers of power and unleash new cycles of reprisals leading to fresh conflicts, and unending family and clan feuds.”36 While the Afghan Government seemed to have heeded the advice and discarded the idea of official approval, the government appears to condone their informal existence and operations.

In an article published in the UK’s Sunday Morning Herald of June 9, 2013, titled, Afghanistan’s Vigilantes Help keep Taliban in Check, Pamela Constable wrote the story of engineer Farhad Akbari, who had organized about 100 fighting men from the hamlets in Kolangar, a farming region of Afghanistan, killing dozens of insurgents in what he called, “my uprising.”37 Akbari, who was a successful military construction engineer in the provincial capital, Logar, started off seeking revenge after the Taliban killed his mother. His local roots and small mobile force appeared to have made him more effective in a familiar territory. His successes attracted the regional Afghan Army Commander, General Abdul Razzeq Safi, who regularly stopped for tea at Akbari’s house.38
According to Abdul Razzeq Safi, “Akbari is getting people to rise against the Taliban, so we should support him, but the Afghan security forces are afraid he will become too powerful and take their place.”\textsuperscript{39} However, Logar officials treated Akbari’s successes with caution and rightly expressed concern that his vigilante activities could inspire others and would undermine the authority of the Afghan security forces. According to the Governor of Logar Arsala Jamal, “We are happy with what he had done, but we need people like him to come under the established security framework and abide by the law.” Their apprehension could not be overstated considering, the experience involving vigilante activities in the Philippines.

In other parts of Afghanistan, villagers and local communities continue to organize themselves into militias of self-defense or government-sanctioned local police units in the absence of, or inadequacy of government security forces. The fact that the vigilantes are protecting their kith and kin makes it less complicated, but if applied on a larger scale, or where they operated in areas other than their own localities, atrocities have been reported. Franz J. Marty of \textit{The Diplomat} stated that, “reports from the Northern provinces of Kunduz and Faryab accuse vigilantes of abusive behavior against ordinary residents, ranging from illegal taxations, extortion, pillaging, beatings, rapes, and murder.”\textsuperscript{40}

Despite these reported atrocities, the vigilantes seemed to have the support of the government, who referred to their actions as the “uprising.” Brigadier General Ghulam Sakhi Ghafoori, the police chief of the province, said more members who are government supporters should be armed.\textsuperscript{41} Some members of the uprising are also members of government agencies. Haiot, the uprising commander in Raghistan
Province, is also the local head of the National Directorate of Security (NDS), the Afghan Intelligence Service. The blurred boundary between the official and private security organizations has the tendency to undermine the authority and legitimacy of official government institutions. However, Afghan officials perceive the anomaly as a necessity. A spokesman for the governor of Raghistan province stated that under the current exceptional circumstances, the government needed the vigilantes to fight the insurgents, indicating that if government resisted cooperation with the vigilantes, they might turn against the government, thereby complicating matters. This view reflects the complex nature of government-vigilante relationship.

To reduce friction and possible future negative consequences, the central government tried to incorporate the vigilantes into its ranks. The Afghan local police was actually established for locals to provide security and protect their “turf” against the insurgents. In August 2015, the Afghan Government created the “People’s Uprising Program” to counter the emergence of the self-proclaimed Islamic State in Eastern Afghanistan under the Independent Directorate of Local Government, and about 100 vigilantes were reported to have been converted to Afghan Local police early 2016.

Though these government actions, seem positive, they may not stop the emergence of other vigilante organizations in Afghanistan but rather encourage it. The danger in supporting shortcuts in security solutions is that parallel policing structures can spiral out of control and lead to more violence and reprisal attacks, or the protection of communities may become preying on the communities. Therefore, empowering vigilantes may jeopardize the long-term goal of stability. Vigilantes could threaten the legitimacy of the institutional police force, undermine public confidence in the
government, further weakening the state and its legitimacy. Such individuals could be easily targeted or fall prey to assassination plots because are not sufficiently trained in police or military operational or tactical procedures. They could also incur the wrath of insurgents upon the community within which members of the vigilantes reside. Such was the case of an anti-Taliban tribal leader, Abdul Hakim Jan of the Akokazai tribe, who was assassinated while attending a dog fight near Kandahar city on February 17, 2008. More than 80 people died in the bomb blast that took his life.45

Allowing parallel policing structures could lead to the emergence of strong political players and warlords who might perpetuate violence and become difficult to reign in. If there are individuals in the community who want to serve by providing security, the Afghan Government could be recruit, train and deploy them as official police. Alternatively, such individuals could serve as community leaders or liaison between the police and the community to ensure that official policing takes place. This collaborative action would greatly assist the institutional law enforcement agencies in serving the community more effectively in the long term and assist in establishing the ethos that will strengthen police capacity to deal with crime in a more sustainable way. This is the cornerstone of community policing, which encourages the collaboration of host community and community support to the police, rather than short term informal enforcement mechanisms.

The Nigerian Civilian Joint Task Force

The Nigerian Civilian Joint Task Force (CJTF) is a citizen volunteer organization whose members willingly came together to assist in fighting the Boko Haram terrorist group in Nigeria in the face of seeming inability of the country's security services to defeat the group. The term ‘Boko Haram’ in Hausa, a language widely spoken in West
Africa, means Western education and values are forbidden. It is the pseudonym for an organization that has existed in Northern Nigeria since the mid-1990s as an Islamic sect preaching its own interpretation of Islam. The official name of the group is Jama’atu Ahlis Sunna Lidda’awati Wal Jihad, meaning, “People committed to the Propagation of the Prophet’s Teachings and Establishment of Puritanical Islam.” According to the group’s teachings, Western education, culture and values (Boko) are forbidden by God (Haram). Boko Haram argues that Boko had brought nothing but poverty, misery and debasement of moral values in the region and therefore was un-Islamic. The group urged Muslims to resist the teaching of Western education, citing “evil concepts” like Darwin’s Theory of Evolution which teaches that human beings evolved from monkeys, or that natural phenomena such as rainfall or storms could be explained by science rather than attributed to God.

Boko Haram launched a violent insurgency against the Nigerian state in 2009. By the end of 2012, Boko Haram attacks had claimed more than 1,000 civilian lives and the group had mounted nearly 180 attacks in Northern Nigeria, most of it in the three North Eastern States of Borno, Yobe and Adamawa. These attacks by members of Boko Haram prompted then Nigerian President, Goodluck Jonathan, to declare a state of emergency in the three most affected states on May 14, 2013, “in order to restore public order, public safety and security in the affected states of the Federation.” The next day, May 15, 2013, the Nigerian armed forces commenced a Joint Task Force operation in the three affected states.

The commencement of military operations against Boko Haram motivated a group of 42 youths under the leadership of one Lawan Jafar in Maiduguri, the Borno
State capital, to organize themselves into what they called the Civilian Joint Task Force to assist the military in their COIN operations against the group. The youths, who were initially armed with only sticks, machetes, cutlasses and other crude weapons to defend themselves, led Nigerian troops to Boko Haram hideouts, sometimes apprehending and handing over suspected members of Boko Haram, their supporters and collaborators to the security forces.

Encouraged by successes recorded by the CJTF, more youths joined the vigilante organization, some brought with them locally fabricated handguns and hunting rifles. Members of the public also procured some of these weapons and freely gave them to the CJTF in appreciation of their work. Soon, these stick and machete-wielding youths flooded the city of Maiduguri. In an unprecedented move, on July 26, 2013, a team of CJTF members attacked a Boko Haram camp at Dawashi, a border town with Niger, after getting information of the presence of the insurgents there. In the ensuing battle, five of the CJTF members were killed and several injured. They then became more daring in their tactics, arresting about 120 Boko Haram members who had escaped after a dastardly attack on Giwa Army Barracks, in Maiduguri.

The exploits of the CJTF eventually earned them the backing of the Borno State government, which provided them with some vehicles and monthly allowances as encouragement. Corporate organizations and individuals also supported the group with funds and their operational tools of daggers, machetes, clubs and hunting rifles. By the end of 2015, they had become a potent force and an integral part of the COIN operations against Boko Haram in North Eastern Nigeria.
While troops were mainly engaged with combat operations against the insurgents, members of the vigilante group were conspicuously visible on the streets of Maiduguri, carrying out searches of vehicles and persons with zeal and dedication. When asked why they were taking such risk, a 35-year-old civil servant, Shehu Abdul Ghani said, “my brother was killed by Boko Haram. They came into our house and shot him in the evening, I was sitting next to him. When I remember the incident, I don’t have any fear or mercy for them … we are chasing them out of Nigeria.” The CJTF has been partially credited with the improved security environment of Maiduguri, where violence was a near-daily occurrence in the previous years. However, there are certain critical issues relating to legality and continued existence of the group, operational procedures and future of the members of the organization on termination of the COIN operations that need to be addressed to avoid pitfalls observed in the previous case studies in the Philippines and Afghanistan.

Constitutional Violations

The Constitution of the Federal Republic of Nigeria, Section 14(2) (b), states that, “Security and welfare of the people shall be the primary purpose of government.” To this end, the Nigeria Police was established and charged with the responsibility for the “detection of crime, apprehension of offenders, preservation of law and order, protection of lives and property, and enforcement of all laws and regulations…” The Constitution also tasked the military in Section 217 (2) (c), among other responsibilities with: “suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the president, but subject to such conditions as may be prescribed by an act of the National Assembly.” Therefore, where the civil police fails
to enforce law and order, as observed with the Boko Haram phenomena, the military is tasked to take over through an established procedure.

Nowhere in the laws of Nigeria is it stated that a vigilante organization could take upon itself the responsibilities of the police or the military. Hence, the activities of the CJTF has no legal backing in a democratic Nigeria, even if the organization is implicitly supported by the government. According Ahmed Sani, a constitutional lawyer and human rights activist in Nigeria, “any form of action whether in the interest of peace and security must have constitutional backing, and any aberration from this should be considered a crime against the nation.”

Further to the above, Section 6 of the Public Order Act, Cap. 382, Laws of the Federation 1990, provides that, “no association should organize or train or equip persons for the purpose of enabling any such person to be employed in usurping the functions of the Nigeria Police or the Armed Forces of the Federation.”

Although it is the responsibility of all citizens to report crime and assist security agencies in curbing acts of lawlessness, it does not bestow upon citizens the powers to enforce the law. Despite contributions the CJTF is making in the COIN operations, its activities remain in violation of Nigeria’s Constitution. If this violation continues, it would set a precedence for such vigilantes to emerge under different guises, as witnessed in the Philippines and Afghanistan, thereby weakening constitutional rule with its attendant consequences. Therefore, as the Nigerian Government restores law and order to the region, it could either officially delegitimize the CJTF or take appropriate steps to legalise the organization’s status.
Human Rights Violations

Residents and rights groups have accused the CJTF of harassment and assault, including beatings, torture, and killings of Boko Haram suspects without trial. The head of the Nigerian Bar Association in Maiduguri, Usseini Hala said, “The CJTF commit some rights abuses and some of them act on the influence of drugs,” but he added that, “this is insignificant compared to what the insurgents are doing.”60 This is a common view held by residents of the areas under the scourge of Boko Haram; they are ready to live with the lesser of two evils. However, Festus Okoye, director of Human Rights Monitor in Nigeria cautions that, “arming and encouraging youths of diverse backgrounds to take up weapons...is dangerous to the rule of law and the current efforts aimed at tackling security challenges in Nigeria.”61 This emphasizes the fact that no matter how effective the CJTF methods may seem, there is no moral or legal justification for some of their actions.

On May 12, 2013, the CJTF set fire to the house of the Chairman of the ruling party in Borno State, Alhaji Othman on allegations that he was a Boko Haram sympathizer.62 Also, members of the group set ablaze a suspected Boko Haram member on the street in South East Maiduguri in a horrific act of extra-judicial retribution.63 In 2013 alone, 99 members of the CJTF were arrested for unauthorized attacks on suspected Boko Haram members, and between January and April 2014, 21 CJTF members were arrested for unlawfully executing suspected Boko Haram members in their custody.64 These acts are clearly in violation of the rights of the victims to free trial, which the Nigerian Constitution guarantees and the Nigerian Government should enforce.
Nigeria is a party to the protocol on the “Convention on the Rights of the Child on Involvement in Armed Conflicts,” which prohibits the recruitment and use of children under 18 years of age in hostilities by armed groups. The CJTF is accused of recruiting children to fight Boko Haram. Human Rights Watch reported the sighting of children with aged between 15-17 years manning checkpoints in Maiduguri city. These rights abuses have prompted some human rights organizations to request the disbandment of CJTF. However, members of communities where the CJTF operate insist that the CJTF is a vital component of the operation to defeat Boko Haram, and therefore the group should be maintained and supported.

In response to the outcry, the Borno State Government instituted a youth empowerment scheme in collaboration with the National Emergency Management Agency (NEMA) to train the under-aged members of the CJTF on productive skills to get them off the streets, while the adults were trained in observance of human rights, first aid, fire control and other skills so they could serve as frontline responders in cases of disaster within their communities. The training program commenced on November 20, 2013, with the target of training 5,000 youths in various skills by December 2015. The effort has reduced the number of children in the CJTF but some are still observed to be engaged in the road blocks and the check points in the city. Also, the program is not comprehensive as it did not cater for all members, to provide them with skills that would guarantee employment at the termination of the COIN operations.

Reprisal Attacks and Proliferation of Arms

On June 18, 2014, Boko Haram spokesman Abu Zinnira issued an audio clip from Damaturu, the Yobe State capital, threatening an all-out war on youths in Maiduguri and Damaturu cities for helping the military: “We hereby declare an all-out
war on you because you have formed an alliance with the Nigerian military and police to fight our brethren… We call on any parent that values the life of his son to stop him from exposing our members, otherwise he is dead.” After this threat, Boko Haram intensified their attacks on Muslim worshippers, villages and markets in Yobe State. To actualize their threats, they disguised themselves as members of the military to set up checkpoints to stop and kill passengers. They attacked schools and homes of known CJTC members. The CJTF responded by hunting family members and suspected collaborators or sympathizers of Boko Haram, killing them indiscriminately. A leader of the CJTF, Abubakar Mallum, stated, “We have crossed the Rubicon, and there is no going back. Boko Haram has declared war on us, and even if we stop hunting them down, they will come after us, so we have to fight to the finish.” Members of Boko Haram and the CJTF are now engaged in what seems like an inter-gang warfare, with the potential to degenerate into inter-group reprisal attacks which could lead to an unending cycle of violence. This is more so as members of the two groups know each other’s families, with some even belonging to the same homes. Therefore, the government must ensure that erstwhile members of Boko Haram and the CJTF do not transform into gangs that could perpetuate violence at the end of the COIN operations in the form of inter-gang warfare or devolve into a civil war.

The apparent confidence of the civil populace in the CJTF has led to the procurement of different types of weapons for members of the vigilante group as support for their effort. Most of these arms are not acquired legally or registered, which has led to the proliferation of weapons such as double barrels, hunting rifles, shot-guns, pistols, and automatic rifles. Members of the CJTF are seen wielding some of these
illegally acquired weapons. Some of the weapons could be from the same sources that Boko Haram gets its weapons or weapons that were seized from Boko Haram members during operations. The proliferation of arms could generate a new wave of violence in the form of armed robbery, communal and family clashes. Also, unscrupulous politicians could violently employ these armed youths against their political opponents. Therefore, there is a need for the Nigerian security forces to retrieve all the arms from the CJTF members.

The Way Forward

Nigeria is a country with a population of about 180 million people, land mass of 923,768.469 square kilometers (356,669 square miles), and 36 states in six geopolitical zones. The geo-political zones are; the North East, which is most affected by the Boko Haram insurgency, the North West and the North Central, South-West, South East and the South-South. The country has armed forces comprising the army, navy and the air force with a total posted strength of about 182,000 personnel, all ranks. It also has a federal police force of about 317,000 personnel strength. The Police officer to population ratio is about 1.76 to 1,000 population, which is grossly inadequate compared to the 2.5 police officer to 1,000 population ratio recommended by the United States Department of Justice, Bureau of Justice statistics for all population sizes. Nigeria has other security challenges which include oil infrastructure vandalism in the South-South and separatist agitations in the South-East geopolitical zones. Nigeria does not have state police forces, hence these challenges and other routine police functions place enormous demands on the country’s federal police force, limiting their efficiency and regularly involving the military in internal security duties.
In considering a strategy for a way forward for the CJTF, the Nigerian Government must address the issues raised with regards to the continuous existence and operations of the CJTF with due regards to Nigeria’s political peculiarities. In doing so however, Nigeria must accord due recognition to the federal character clause in its constitution which seeks to balance the country’s over 350 ethnic groups, religious, cultural and linguistic diversity. Section 14 (3) of the Constitution of the Federal Republic of Nigeria states:

The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that Government or any of its agencies.75

To address the constitutional violation emanating from its operations, the Nigerian Government should find a way to begin dismantling the CJTF and should immediately disavow the CJTF. However, the Government should carefully plan, time and manage the process to assure the CJTF members of government’s concern for their welfare so that they are not driven underground, do not create a security vacuum and do not generate negative reactions from the host communities where they operate and receive support. All members of the CJTF could be comprehensively registered, disarmed, screened and recruited into the military, police or other paramilitary agencies according to their qualifications, interests and suitability. While those who do not qualify for military or paramilitary service could be employed in other government parastatals or the private sector appropriate to their qualifications. Minors could be sent to formal schools or vocational centers to acquire skills on government sponsorships. Government should also insure that all demobilized members of the CJTF are dispersed
and posted to serve in zones other than the North East geopolitical zone to avoid their regrouping and transforming into different gangs. This will be done by applying the Nigerian federal character principle which states that, a Federal Government employee can be posted to serve in any part of the country.\textsuperscript{76}

Considering the inadequacy of the police to contain internal security challenges, the CJTF phenomenon presents an opportunity for Nigeria to create a buffer force between the military and the police, so that such a force, rather than the military, could be mobilized whenever the civil police are overwhelmed. Such a force could be modelled after the United States National Guard but federalized in recognition of Nigeria’s Federal character principle, and be stationed at each of the six geopolitical zones. The implementation strategy starts with the enactment of a laws by the National Assembly establishing the Nigerian National Guard and instituting the executive agency to actualize and supervise its operations.

The Nigerian Government could recruit qualified members of the CJTF into this force while recruitment starts concurrently in other geopolitical zones of the country in observance of the need for a federal character for the force. Those screened could be sent to the Nigerian Defense Academy for officer training or to Depot Nigerian Army (the enlisted personnel training institution), depending on their suitability. The core of the National Guard could be drawn from officers and soldiers currently in military service who would bring in the needed experience to start the force. This would further create employment opportunities for youths in the country, thereby reducing youth restiveness in response to the Nigerian President’s “N-Power Program” initiated to provide jobs for Nigerian youths\textsuperscript{77}.
At the termination of the insurgency, there may be a need for the Nigerian Government to institute a truth and reconciliation commission as South Africa did at the end of the apartheid era in 1995 and in Nigeria at the end of military rule in 1999.\textsuperscript{78} Government should empower the commission to investigate human rights violations and grant amnesty to members of the CJTF who are accused of such violations after due confessions and show of remorse. Financial, symbolic or other forms of reparations could be considered for aggrieved parties, while prosecution would be considered against perpetrators where amnesty is not sought or denied due overwhelming evidence of gross violations. This would help reconcile individuals, families and communities, and reduce the likelihood of reprisals and perpetuation of cycle of violence as observed with the vigilantes in the Philippines and Afghanistan. By so doing, the Nigerian Government would mitigate the tendency of CJTF transforming into a criminal organization, correct the continuous constitutional and human rights violations, and curb the proliferation of arms in the northeastern region of the country for a sustainable peace.

When state institutions fail to provide security to citizens or are unable to enforce law and order in society, it provides impetus for some citizens to rise to the challenge of enforcing law and order in the community. Historically, such organizations, acting without legal authority, have support of their communities, and at times the backing of the host governments, without explicit approval or a legal framework to support their operations. Such was the case with the anti-Communist vigilantes in the Philippines, the anti-Taliban Vigilantes operating in Afghanistan, and the Civilian Joint Task Force assisting the COIN operation against the Boko Haram insurgents in Northern Nigeria.
The CJTF have been a potent force in the COIN operations in Nigeria, providing troops with information on the location and identity of the terrorists, and sometimes engage directly in the fights with tremendous successes. However, certain questions have arisen with regards to the conduct of the group and consequences of the actions of its members. Therefore, to avoid the proliferation of arms in society, perpetuation of cycle of violence and abuse of human rights (as observed with the vigilantes in the Philippines and Afghanistan), the Nigerian Government should rein in members of the CJTF, disband the organization and recover all arms in their possession. Government should ensure that members of the group are gainfully employed and dispersed to avoid their regrouping and transformation into criminal organizations while upholding the provisions of the Nigerian Constitution.

Endnotes


Ibid.

Ibid., 5.


Malajacan, Anti-Communist Vigilantes in the Philippines, 7

Ibid.

Ibid., 6.

Ibid.


31 Ibid.


34 Ibid.


36 Ibid.


38 Ibid.

39 Ibid.

41 Ibid.

42 Ibid.

43 Ibid.

44 Ibid.


48 Ibid.


50 Ibid.


53 Dala, Civilian Joint Task Force and Internal Security Operations in Nigeria, 32.


55 The 1999 Constitution (As Amended) of the Federal Republic of Nigeria, Section 14 (2) (b), (May 15, 1999).


57 The 1999 Constitution of the Federal Republic of Nigeria, Section 217 (2) (c).

58 Dala, Civilian Joint Task Force and Internal Security Operations in Nigeria. 35


61 Ibid.


65 Ibrahim Sawab, Boko haram Hunters Burn Suspect Alive in Maiduguri.


67 Ibid.


69 Ibid.


71 Ibid.


75 The 1999 Constitution of the Federal Republic of Nigeria, Section, 14 (3).

76 Ibid., 14 (4).