

## Violation of Human Rights and Impact of US Assistance in the Fight Against Boko Haram

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### Abstract

*In the course of evaluating the US assistance to Nigeria in the first against Boko Haram insurgency in the country, the study succeeded in evaluating the bilateral military relations between two different administrations in both countries; that of Dr. Goodluck Jonathan and Alhaji Muhammadu Buhari in Nigeria and that of Barack Obama and Donald Trump of the United States. The study emphasized that the radicalization of the Boko Haram sect which heightened the state of insecurity in Nigeria, especially the northern part of the country arose international attention and interest which eventually made the US government to develop a special interest in the activities of the group. Though, the US have been of immense help to Nigeria in providing logistics, intelligence support, training and financial assistance to Nigeria to be able to combat the scourge of the terrorist group; the study is aimed at evaluating and ascertaining the effectiveness of the US assistance to Nigeria in the entire fight against Boko Haram insurgency sect, and the theory of dependency was adopted as the most ideal theory that suits the research. The study finally recommended among others that the US should increase its assistance to Nigeria in combating the daring posture of the Boko Haram sect through increase sales of military hardware to Nigeria, aviation training and incentivizing disarmament, demobilization and reintegration efforts in Nigeria as to put an end to the spate of insurgency in the country*

**Keywords:** Boko Haram, Human Rights and Violation.

### Introduction

Indeed, Boko Haram had existed prior to President Goodluck Jonathan's administration, as the group had its major clash with the State in 2009 in Borno State Northeast (Akunwata, 2017). Activities of the Boko Haram group that attracted the attention of the United States and other International bodies were the bombing of UN Building in Abuja and the April 14<sup>th</sup> 2014 abduction of about 270 Secondary School girls in Chibok, Borno State. The problems of continuous attacks by the Boko Haram sect has been giving the governments of Nigeria and the United States serious concern such that both countries are critically involved in finding a lasting solution to the crisis (Bockstette, 2018).

However, Onuoha (2012) the Obasanjo administration had understanding with the US on security assistance but the US government were invited to assist Nigeria in the fight against Boko Haram about 2010, (Onyeabor12) though officially, the United States designated both Boko Haram and Ansaru as [FTO], Foreign Terrorist Organization in November 2013, under Section 219 of the Immigration and Nationality Act, as amended, and as Specially Designated Global Terrorists (Christopher, 2017).

According to US Fact Sheet 2014, by her former Secretary of States John F. Kerry the US has assisted Nigeria on the fight against Boko Haram in these major areas,

Counterterrorism support to Nigeria which focuses on building critical counterterrorism capabilities among Nigeria's civilian and law enforcement agencies (Douglas, 2017). This supports the larger US objective of encouraging Nigeria to develop and implement a comprehensive approach to counter BH that upholds and enforces the rule of law, provides civilian protection, respects human rights and international norms, and addresses the underlying grievances that BH exploits including through development gains and through responsive governance (Lolita, & Robert, 2017).

However, the US military Authority which holds a regular Regional Security working group meetings focused on the Boko Haram threat and ways the two governments can collaborate on a holistic approach to countering the group. In another development, the US security assistance is in line with her efforts to ensure Nigeria takes a comprehensive approach to countering Boko Haram (Thomas 2017). The US Military is working to build Nigerian security enforcement capacities to investigate terrorism cases, dealing with explosive devices, and secure Nigeria's borders, while underscoring that the most effective counterterrorism policies and practices are those that respect human rights and are underpinned by the rule of law (Christina, 2017). The US government is focused on enabling various Nigerian security services with fusing multiple information streams to develop a better understanding of Boko Haram (Hoffman, 2016). The US military assistance supports the professionalization of key military units and improves their ability to plan and implement appropriate steps to counter Boko Haram and ensure civilian security (Jack, 2019).

The study will examine the extent at which the United States of America assistance to Nigeria has helped Nigeria Government and the Military in her fight against the Boko Haram insurgency for more than a decade now and why the fight against Boko Haram has out lived the US assistance (Akunne, 2019). The study will survey the effectiveness of some of these assistances by US to Nigeria on the fight against Boko Haram and estimate if there would be need for improvements so that the expected result could be achieved. The general objective of the study is to examine the issue of counter terrorism, influence of US arm sales policy and its effect in the fight against Boko Haram. The specific objectives include: (a) To understand how human right violation in Nigeria influenced US in her assistance to Nigeria in the fight against Boko Haram. (b) To ascertain the whole impact of US assistance in the whole fight against Boko Haram in Nigeria.

## Literature Review

**Concept of Boko Haram** The name "Boko Haram" has been translated as "Western education is forbidden" by some renowned Islamic scholars. Haram is from the Arabic (ḥarām, "forbidden"); and the Hausa word Boko meaning "fake" which is used to refer to secular Western education. The name Boko Haram has also been translated as 'western influence is a sin' and/or westernization is a sacrilege (Adesoji, 2010). There is still others who have come having carried out some research about the origin of the sect have come to say that the Boko Haram group has always been known as Jamā'atu Ahli is-Sunnah lid-Da'wati wal-Jihād meaning "Group of the People of Sunnah for Dawa and Jihad". It is also known as Wilayat Garb Ifrqiya, meaning "West African Province", since March 2015 after becoming part of the Islamic State (Zainab, 2014).

The Boko Haram sect was founded by Mohammed Yusuf in 2002, but his death led to the continuation of the existence of the group through its second in command, Abubakar Shekau. When Boko Haram first formed, their actions were nonviolent. Their main goal was to purify Islam in northern Nigeria. But report has it that since March 2015,

the group has been aligned with the Islamic State of Iraq and the Levant which is a more dangerous trend (Onuoha, 2010).

According to Martin (2018), he wrote that since the radicalization of the Boko Haram insurgent sect, the sect has killed tens of thousands and displaced over 2.3 million people from their homes, and the group became one of the deadliest terror groups at a certain time according to a report by the Global Terrorism Index.

## **Concept of Insurgency**

Roberts and Timothy (2019) argued that insurgency is a violent act against constituted authority when those taking part in the rebellion are not seen or recognized as belligerents. They also noted that not all rebellions are insurgency; and that the concept of insurgency is ambiguous. Hall (2018) on his part opined that there have been many instances of non-violent rebellions that cannot be described as insurgency, such as civil resistance as was seen in the People Power Revolution in the Philippines in the 1980s that ousted President Marcos and the Egyptian Revolution of 2011.

Weigand (2017) opined that when insurgency is used to describe a movement's or group's unlawfulness by virtue of not being authorized by or in accordance with the law of the land, its use is neutral no matter how logically their agitation may be. However, when it is used by a state or another authority under threat, "insurgency" often also carries an implication that the rebels' cause is illegitimate, whereas those rising up will see the authority of the state as being illegitimate; that's the irony of the situation. But Franklin (2018) while trying to analyze the concept of insurgency and how it is viewed opined that there have been lots of criticisms held about the different definitions and conceptual analysis already made about the concept, he opined that criticisms of widely held ideas and actions about insurgency started to occur in works of the 1960s; they are still common in recent studies.

## **Concept of Terrorism**

In the view of Bockstette (2018), there is no universal agreement on the definition of the concept of terrorism; different scholars, legal bodies and government institutions have come up with different definitions and explanation on the concept. He further opined that different governments have failed to come up with a generally accepted and legally binding definition of the concept. He said that the difficulty in having a generally accepted definition for the concept of terrorism arises from the fact that the term has become politically and emotionally charged. He concluded by saying that in the United States of America, terrorism is defined in Title 22 Chapter 38 U.S. Code § 2656f as "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents".

In another development, Burgess (2016) argued that there are four major classifications of the concept of terrorism; that are: (a) The use of violence or of the threat of violence in the pursuit of political, religious, ideological or social objectives (b) Acts committed by non-state actors (or by undercover personnel serving on the behalf of their respective governments) (c) Acts reaching more than the immediate target victims and also directed at targets consisting of a larger spectrum of society (d) Both *mala prohibita* (i.e., crime that is made illegal by legislation) and *mala in se* (i.e., crime that is inherently immoral or wrong)

Byrnes (2012) on his part argued that there are many reasons for the failure to achieve universal agreement regarding the definition of terrorism. Citing Angus Martyn

during a paper presentation stated that the international community has never succeeded in developing an accepted comprehensive definition of terrorism. He mentioned that during the 1970s and 1980s, the United Nations attempts to define the term foundered mainly due to differences of opinion between various members about the use of violence in the context of conflicts over national liberation and self-determination. These divergences have made it impossible to conclude a Comprehensive Convention on International Terrorism that incorporates a single, all-encompassing, legally binding, criminal law definition of terrorism.

## **Violation of Human Right in the fight Against Boko Haram in Nigeria**

One of the major recorded cases of human right abuse in the fight against the Boko Haram insurgency was the kidnapping of the over two hundred school girls in Chibok, Borno State, Nigeria. According to the Human Right Watch report (2014), most of those said to be victims of Boko Haram insurgency are predominantly Christians, and that the victims appear to have been targeted for attack either for their presumed religious affiliation or for attending formal western education. That some of the kidnapped victims were threatened with death if they refused to be converted to Islam.

The report went further to note that one of the painful situations the abducted young girls held in captivity by the Boko Haram insurgent group was the issue of sexual violence and rape as some of the young victims were forcefully married by their captors. The report also cited the situation where social workers who have worked with some of the victims of the Boko Haram noted that the rape of women and girls abducted by Boko Haram has been underreported because of a culture of silence, stigma, and shame around sexual abuse in Nigeria's conservative northern part of the country.

Further listing some the grave human right abuse perpetuated by the Boko Haram insurgent group, the Human Right Watch noted that Boko Haram abducted women and girls from their homes or on the streets during the numerous attacks on communities. And that most of these abductions takes place within their major stronghold, Maiduguri, Borno State and Damaturu, Yobe State. The report clarified that in most cases, the married women who were abducted was done as a form of punishment for not supporting their course of action and ideology, while the unmarried and young girls were forcefully as bride after in some cases the insurgents hurriedly paid the dowry to their families who out of fear accepts the dowries from the insurgents (HRW, 2014).

The attention of the world was drawn to the activities of the Boko Haram sect when they abducted 276 schoolgirls from Chibok as it was said to be the biggest single incident of abduction by the sect as at the time of filing the report. And the report also noted that the relative ease with which the sect carried out the abduction of the Chibok girls appears to have emboldened them to carry out further abductions elsewhere (HRW, 2014).

The report concluded that the Boko Haram sect between January and May, 2013 gives the impression that the key motives for the initial abductions: to retaliate against the government of the day for detaining its members, relatives and wives; to punish parents and students for attending formal western education; and to forcefully convert Christian women and girls into Islamic religion (HRW, 2014).

According to Ogoloma and Sampson (2015), they argued that:

The Nigerian state is aware of the importance of human rights and incorporated it in chapter four of her constitution 1999 as amended. Under fundamental Human Rights the following are enshrined therein in the constitution; (A) Article

33-Right to Life, (B) Article 34- Right to Dignity of Human Person (C) Article 35 Right to Personal Liberty (D) Article 36 and 37 Right to Private and Family Life (E) Article 38 Right to Freedom of Thought, Conscience and Religion (F) Article 39- Right to Freedom of Expression and the Press Association (H) Article 41- Right to Freedom of Movement (I) Article 42 Right to Freedom of Discrimination. One by one, Boko Haram had violated these rights with impunity in total disregard to the Nigerian constitution and, the international Peoples and Human Rights of the United Nations. In kidnapping of Nigerians and Foreigners, rapping of innocent girls and women, wanton destruction of lives and property, etc. Boko Haram as a non-state actor do not listen or adhere to any international law and order. The international community therefore, should not question Nigeria as to what she is doing in fighting the security challenges facing the country. Human Rights Violations also occur when actions by state or non-state actors like Boko Haram abuse, ignore, or deny basic human rights including civil, political, cultural, social and economic rights of the people.

Ogoloma and Sampson (2015) went further to explain that “Article 39 of the United Nations Charter designates the United Nations Security council or any appointed authority as the only tribunal that may determine the United Nations human rights violations. United Nations committees, national institutions and governments and many other independent bodies like, Amnesty International Federation of Human Rights, Human Rights Watch, etc, monitor human rights abuses and collect evidence as well as documentation of alleged human rights abuses. They apply pressure to enforce human rights laws. Boko Haram had involved itself with all these acts like; wars of aggression, war crimes and crimes against humanity, including genocide. These are breaches of international humanitarian law and represent the most heinous and serious of human rights violations by Boko Haram sect”.

They conclude that, “Boko Haram uses unsuspecting innocent girls now as agents of destruction by stripping them with bombs”. “By so doing, they are violating the girl/child’s right. Instead of sending them to schools, they are being used as agents of mass destruction in total disregard of their fundamental rights” (Ogoloma and Sampson, 2015).

**Impact of the US Assistance in the fight against Boko Haram** The study will be discussing five notable impacts the United States assistance in the fight against Boko Haram has given to Nigeria; these impacts are thus:

***Sophisticated Military Wares/Training*** Sophisticated military weapons have been donated to the Nigerian government by the United States government to enable the Nigerian troops have upper hand in the fight against the Boko Haram insurgents who are said to possess some sophisticated weapons to the surprise of the Nigerian government (Thomas, 2017). Robyn and Briana (2017) have argued that the military training on counter-terrorism instilled on the Nigerian Military involved in prosecuting the fight against Boko Haram can be related the ability reduce the potency of the Boko Haram that previous had taken possession of some Nigerian territories and had declared marshal laws had since been dispossessed of these territories thereby confining them into the Sambisa forest where they presently operate from.

***Decimation of the Sect*** Anastasia (2018) also believed that the expansion of the role of AFRICOM to go beyond just the Niger Delta security challenge to that of the North-East



Boko Haram sect has greatly assisted in decimating the rampaging posture the sect posed at the wake of 2015. Helene (2018) also opined that the continual bombardment of the Boko Haram sect with sophisticated weapons and well trained Nigerian Military personnel was more than what the Boko Haram sect contended for, hence it won't be out of place to agree that the assistance of the United States to Nigeria in combating the Boko Haram sect has been of great positive impact.

**Required Publicity** The involvement of the United States in the fight against Boko Haram has increased the needed publicity and adequate reporting of the dangerous activities of the sect, and this has enabled other parts of the country to understand the true reality of what the Nigerian government has been passing through (Christina, 2017). Also, notable international media outfits have taken special interest in reporting about the activities of the Boko Haram sect and the need to proscribe the body as an international terrorist organization given the devastating and destructive tendencies it has shown so far (Omar & Ndubuisi, 2018).

**Support from other foreign countries** The support gotten from other western allied of Nigeria was precipitated by the United States assistance which drew the needed international sympathy and interest (Mark, 2017). China, Israel and Russia were among other leading countries that have been supportive to Nigeria in the fight against the Boko Haram insurgency which any believed was motivated by the call by the United States for all well-meaning countries in the who have resolved to fight against all forms of terrorism around the world to support Nigeria to be able to defeat the terrorist group within her territory (Abidunur, 2018)

**Recognizing the sect as a terrorist group** When some analysts argued that the sect was turning into a global terrorist body and needed to be treated as such, the Obama led administration through the PEACE program disagreed with this opinion, rather hinged there argument that the sect only originated out of government neglect in providing basic infrastructure for the region, hunger and poverty; but when the sect bombed the United Nations building in Abuja killing and injuring many inside and within the building, it became obvious that the sect was not a mere agitation group (Camp, 2018). Also, the attack on the Louis Edet Building (Police Force Headquarters) and several other attacks in strategic areas in the Nigerian Capital Territory, Abuja was an indication that the Boko Haram sect had declared a full blown war on the Nigerian State which goes to show that the sect is out to carve out a caliphate for itself and was operating in the same manner like ISIS which was already a global terrorist group operating in Syria and Iraq, and have devastated the peace of these countries (Mark, 2018).

The researcher believes that the United States support through training of the Nigerian military troops and provision of sophisticated weapons have greatly done a lot in the fight against the Boko Haram sect; he also acknowledged that the sect has been decimated, but two things still stands out. One, the required foreign publicity on the level of damages caused by sect still needs to be amplified and the total declaration of the sect as being in the same category with other global terrorist groups is also important so that the world will understand and see the sect as they are and also appreciate the efforts that have been put in so far in curbing their trend. Secondly, the Nigerian government must do more with the foreign support already gotten so far so that the dangerous operations of the Boko Haram sect can be drastically reduced to the barest minimum.

## Theory of Dependency

First proposed in the late 1950s by the Argentine economist and statesman Raúl Prebisch, dependency theory gained prominence in the 1960s and '70s. According to dependency theory, underdevelopment is mainly caused by the peripheral position of affected countries in the world economy. Dependency theory originates with two papers published in 1949 one by Hans Singer, one by Raúl Prebisch in which the authors observe that the terms of trade for underdeveloped countries relative to the developed countries had deteriorated over time: the underdeveloped countries were able to purchase fewer and fewer manufactured goods from the developed countries in exchange for a given quantity of their raw materials exports. This idea is known as the–Singer hypothesis Prebisch Singer thesis (Ahiakpor, 2015).

As developing country, Nigeria depends on the West and the United States for almost all her needs especially in technology and also given to the fact that the United States is a major allied of Nigeria. However, the US has the requisite weaponry and ammunition to assist Nigeria in the fight against the Boko Haram insurgents. To this end, is only ideal that Nigeria runs to the US to obtain necessary assistance on her fight against Boko Haram. Also the public condemnation and actions of the United States against every act of terrorism after the September 11th attack on its soil, and her vow to combat acts of terrorism within its territory and also wherever she has interest. It is understood that the United States has a special interest in Nigeria and she will always want such interest in the country to be protected, hence there is the need for the Nigerian government to take advantage of this opportunity to sort for US assistance both in weapons, funds and training of Nigerian Arm on counterinsurgency to be able to end the rampaging scourge of Boko Haram terrorists in the Northeast Nigeria.

## **Conclusion and Recommendation**

The US has helped Nigeria in the fight against Boko Haram because it has helped by increasing Foreign Military Sales (FMS), enhancing the security forces assistance mission to incorporate aviation training and non-lethal effect; and incentivizing disarmament, demobilization, and reintegration effort in Nigeria. In addition to the current intelligence support to Nigeria forces, some improved US strategies has increased nonlethal effect focusing on information, electronic warfare (EW) and cyber support. Arguably, the most influential clash between Nigeria and Boko Haram is a battle of narrative. The United States has considerable experience in this realm, recently recognizing information as a seventh joint function and restructuring military services appropriately.

There is need for the US to intensify her assistance in the fight against BOKO Haram particularly in the area of military and non-military assistance it renders to Nigeria. This should be done by increasing foreign military sales (FMS), enhancing the security force assistance mission to incorporate aviation training and non-lethal effects; and incentivizing disarmament, demobilization and reintegration effort in Nigeria. The US should not stop the assistance it renders to Nigeria in the fight against Boko Haram because when Nigeria is affected conflict wise, it affects all parts of Africa. In fact, the US should not stop assisting Nigeria because the US assistance to Nigeria has helped to strengthen the fight against Boko Haram terrorism to a large extent.

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