

**From Policy to Paralysis: The Crisis of Implementation in Nigeria's Fight Against Arms Proliferation**

**By**

**Mubarak Sulaiman Jamiu**

Department of Politics and Governance

Kwara State University, Malete.

mubarak.jamiu@kwasu.edu.ng

07031584647; 08124849983

**Towoju Adedoyin John**

Department of Politics and Governance

Kwara State University, Malete.

adedoyin.towoju@kwasu.edu.ng;

08168582876.

**Hassan Seyid Ishola**

Department of Politics and Governance

Kwara State University, Malete.

seyid.hassan@kwasu.edu.ng;

08032759543.

**Abstract**

Small arms and light weapons (SALWs) pose a significant danger to national security, social stability, and sustainable development in Nigeria due to their continuous proliferation. This article explores the intersection of governmental failure, legal deficiencies, and institutional inadequacies that have created conditions conducive to armed conflict, focusing on the correlation between poor governance and the significant proliferation of illegal small arms and light weapons (SALWs). The study looks at how problems in government, weak laws, and ineffective institutions lead to armed conflict, using the ideas of radical structural conflict theory and failed states to analyze how weapons spread by reviewing existing data and qualitative content. The findings indicate a distinct correlation between governance deficiencies, permeable borders, economic marginalization, and the increase of criminal activities such as terrorism, banditry, and communal violence. Despite Nigeria's commitments to international frameworks such as the ECOWAS Convention, institutional disarray and outdated

legislation hinder the fulfillment of these obligations. The paper recommends comprehensive reforms, encompassing regional collaboration, enhanced border security, the establishment of a National SALW Commission, and socioeconomic investment. Mitigating the arms epidemic and restoring public trust in the Nigerian government hinge on these measures.

Keywords: Small Arms, Light Weapons, ECOWAS, Control Mechanism.

## **Introduction**

Nigeria encountered formidable obstacles to economic growth and national unity after gaining independence in 1960. Our country has not yet accomplished full national growth via unity, despite its large population and plenty of natural resources. The continuing armed conflicts and criminality intrinsic to the Nigerian state have had a major impact on this. After Nigeria gained its independence in 1966, a series of protests known as the Adaka Boro movement began, which eventually led to the 1967 Nigerian Civil War. The conflict took place between 1967 and 1970. After this pivotal time, the country assessed the damage to its human capital, institutions, and economy. The operations of these armed groups are made easier by the unregulated trade of potentially deadly weapons among varied organizations at various intervals. The widespread and unchecked availability of handguns and other light weapons across the country exacerbates these dangers. Even though it is illegal to own a firearm in Nigeria (with the exception of members of the security forces and those with police authorization), many people are allegedly in possession of them. When it comes to dealing with the problems of gun proliferation in the US, the Firearms Act of 1959 remains an essential framework. The government persists in utilizing the act's provisions to handle modern threats, notwithstanding the act's fundamental inadequacy in meeting international standards. Many solutions to the problems caused by the proliferation of SALW in West Africa are laid forth in the ECOWAS Convention on Small Arms and Light Weapons. There should be a National Convention on Small Arms called by all member states. Nigeria had not established a national commission by the publication date. A presidential committee on small arms was established by the previous government without the necessary parliamentary permission.

By accepting the state government's amnesty offer in October 2016, 22,430 militants, agitators, criminals, cultists, and others turned over a cache of weapons, including around 1,000 firearms, 7,661 rounds of ammunition, and 147 explosives (Egbuta, 2019). It has come as a surprise to many that whenever the topic of disarmament or amnesty is brought up, there is an outraged public that is always willing to hand over their weapons to the right people. Threatening national security are armed non-state forces, such as the Boko Haram terrorist

group, Fulani herdsmen, kidnappers, and several criminal factions. There is cause for worry over the possible participation of security officers at national borders and ports in the acquisition of illicit firearms by unlicensed and unauthorized individuals, including non-state entities. To effectively combat asymmetric threats, the government must implement regulations on the sale of firearms and the monitoring of border crossings. This study applies this framework to an examination of gun regulation and proliferation in Nigeria.

In terms of security, the illicit distribution of SALWs is currently a major issue in Nigeria, Africa, and perhaps the entire globe. These weapons endanger national security and hinder Nigeria's long-term development prospects because they spread political instability, communal conflicts (such as Fulani/herder confrontations), terrorism, insurgency, kidnapping, militancy, and other criminal activities. With an estimated 350 million SALW in circulation in Nigeria in 2015, the UN has lately expressed concern over their proliferation (Soetan, 2017). Seventy percent of the 500 million small arms smuggled into West Africa are believed to be in Nigeria, according to the UN. As a government initiative to address the threat of militancy in the Niger Delta to oil production, the Presidential Amnesty Program was established by the late President Musa Yar'Adua and received widespread support. The massive arsenal of weapons and ammunition recovered from the region during the surrender operation shocked not just the country but also the rest of the world. Achieving the objective of the presidential amnesty hinged on the surrender exercise. As a result, Nigeria's regulation and proliferation of weaponry need an in-depth assessment.

### **Problem Statement**

Small Arms and light Weapons proliferation in Nigeria has become an alarming security challenge, significantly exacerbated by the persistent failure of governance. The inability of the state to enforce effective control over arms circulation has contributed to widespread insecurity, enabling criminal elements to perpetrate violent crimes that would otherwise be difficult to execute. Crimes such as banditry, herder's farmers clashes, drug trafficking, armed robbery, kidnapping, and terrorism have been critically intensified by the unchecked availability of illicit weapons. These criminal activities have resulted in extensive loss of lives, displacement of populations, and the erosion of public safety across the country. Against this backdrop, this study interrogates the nexus between bad governance and the proliferation of SALWs in Nigeria, explores its implications for societal stability, and proposes sustainable solutions to address the crisis.

### **Objectives**

- a. To assess the of arms control legal framework in Nigeria.

- b. To x-ray the implication.

### **Literature Review**

The proliferation of small arms and light weapons in Nigeria has raised immense havoc in Nigeria. Crime have It has also increased the rate, and makes more pronounced, and enhanced deadly clashes such as communal, religious, and political crisis, while cultism activities have been on the increase in Nigeria. The death toll in Nigeria had been very high and the negative effect of crisis in Nigeria has also become more intense. Many Nigerians have been forced to flee from their homes as they now permanently reside in the IDP camps as a result of armed conflict ravaging the country (Nigeria). This has become a great security challenge to the country, and needed the concerted effort of all Nigerians, emergence of good government who will be honestly committed in fighting crime and support from outside Nigeria for the menace to be successfully dealt with. Ugwumba (2019) The spread of small guns and light weapons is currently a major security issue in Nigeria, Africa, and the world at large. The availability and spread of these weapons worsen public unrest and political unpredictability, and they constitute a serious danger to national security as well as to acceptable conditions. Because firearms are so easily accessible, militancy and armed crime are rampant in Nigeria. (Uwa and Anthony, 2015). Mutum (2019) posits that the negative impact of illicit arms trafficking in Nigeria can be said to be the root of insecurity in the country, accounting for increase in violence and mass killings. Mutum opine that it has also contributed to increasing number of violent conflicts, constant human and drug trafficking which remains a challenge to authorities and in outside Nigeria. Arms proliferation in Nigeria has enhanced the security challenges in Nigeria, thereby allaying foreign investors who are within the country and the ones willing to come into Nigeria to invest. The adverse effect of this has being increasing unemployment and economic backwardness. Proliferation of small arms and light weapons has caused the death of many in Nigeria, such as the civilian and the military and Para-military officers. SALW has led to rising rate of criminality, and citizens are being endangered. Also, the threat of the illicit use of SALW in terrorism ravaged areas has prevented the delivery of humanitarian and economic aids and contributed immensely to the challenges of refugee and internally displaced persons (IDP) in Nigeria (Editorial board 2018). Proliferation of small arms and light weapons has no doubt hampers the smooth running of government, prevent peaceful legal change of government processes especially during elections, as many aggrieved selfish politicians has taken laws into their hands by employing political thugs, buying them arms to obstruct election processes. This has always

being the situation and experienced in Nigeria, hence preventing political advancement and development in Nigeria.

## **LEGAL FRAMEWORK IN TACKLING ARMS PROLIFERATIONS IN NIGERIA**

Concerns about Nigeria's long history of arms proliferation are intensified by the data showing that the proliferation of small arms and light weapons in the country has reached a peak. Despite efforts by the government and international organizations such as ECOWAS, as well as laws passed by the national assembly, the proliferation of weapons continues in Nigeria. In response to the West Africa Action Network's 2006 report on tiny weapons, the Economic Community of West African States (ECOWAS) took action to reduce transnational crime and insecurity in the region, as stated by Ugwumba (2019). All aspects of the manufacture, sale, and ownership of handguns and other light weapons by the general public were subject to these regulations. According to David (2018), cited in Ugwumba (2019), a national commission has been established by the Nigerian parliament to investigate the illegal importation and proliferation of small arms, ammunition, and light weapons. Osimen (2015) cites the Guns Act of 1959 as evidence that the Nigerian government is taking action against violations (UGWUBA, 2019). Despite the efforts mentioned before, the proliferation of small guns and light weapons in Nigeria continues. Legislation to ban the proliferation of guns in Nigeria or to fix the shortcomings of outdated laws like the Firearms Act of 1959 is not enough to solve the problem completely and permanently. Since high rates of poverty and violent crime are associated with ineffective government in Nigeria, it stands to reason that governments that demonstrate strong leadership will see a marked decrease in all three indicators. Internal changes should be implemented by the government to create a system that guarantees the supply of vital services to the people and eradicates different types of crime in order to tackle the growing proliferation of weapons in Nigeria. By providing businesses with reliable electricity, quality infrastructure, reduced taxes, financial assistance for the impoverished, and job opportunities within government institutions for the youth, the Nigerian government can notably reduce poverty and crime while effectively limiting the proliferation of small arms and light weapons. The Firearms Act (Amendment) Bill, 2018, was passed by the legislature in November 2018. Its goals are to increase penalties, make offenders face harsh prison terms, and prevent firearms that have been imported illegally. Ugwumba (2019) states that the act's sections 28, 35(2), and 27(1)(c)(i-v) summarize the provisions. Anyone caught illegally possessing, importing, or manufacturing firearms within the country might face a ten-year prison sentence and a fine of one million naira, according to

the amendment (Ugwumba, 2019). To tackle the problem of weapons proliferation, Nigeria must prioritize effective governance, improved economic conditions for individuals, and a higher standard of living for all. However, up until this point, none of the aforementioned endeavors have been fruitful.

A major contributor to the proliferation of small arms and light weapons (SALW), according to Nigerian opponents, is the nation's insecure institutional and legal frameworks. These structures fail to appropriately control and limit the free flow of firearms and ammunition. As of May 2018, the majority of the non-proliferation agreements to which Nigeria is a party have not been implemented into the country's legal framework. In response to a 2006 report by the West Africa Action Network on Small Arms and Light Weapons (WAAN), the Economic Community of West African States (ECOWAS) passed a convention to control the manufacture, transfer, and civilian ownership of SALWs to reduce transnational organized crime and instability in the subregion. The sub-region is home to an estimated eight million small weapons, according to WAANSA (Ndiaye, 2008). While all member states of the ECOWAS Convention on Small Arms and Light Weapons are urged to establish a National Commission for the Prohibition of the Illegal Importation of Small Arms, Ammunition, and Light Weapons, Nigeria has failed to do so. The problem of handguns in Nigeria has been under consideration by a presidential committee for quite some time. No national framework, even a presidential committee, can adequately address the problem of small arms and light weapons in the country. Legislators in Nigeria have taken note of this service gap. Within this framework, it has advocated for the creation of a National Commission to Address the Illegal Importation of Small Arms, Ammunition, and Light Weapons (David, 2018). At its peak, the commission would be able to regulate and ban the sale of small guns, ammunition, and light armament, among other relevant items. When it comes to dealing with gun violations, the country is dependent on the Gun Act of 1959. The Nigerian Parliament is now considering revising the Firearms Act to make it more applicable to modern culture. Legislators ratified an amendment to the Firearms Act (Amendment) Act, 2018 in November 2018. Among other things, the Act specifies in Sections 27 (1) (c) (i-v), 28, and 35 (2) the destruction of illegally imported weapons, the increase of fines, and harsher prison sentences for violators. Under the proposed amendment, a maximum of ten years in prison would be imposed on anyone found guilty of illegally acquiring, importing, or manufacturing firearms within the nation. It was mandatory to stamp any firearms sold or moved within the country, and anyone caught violating the law may face a fine of one million naira. By becoming a legally binding document, the amendment will fix the shortcomings of the Firearms Act of 1959.

A number of treaties were ratified by the United Nations. The findings of this analysis support the claim that the Firearms Act is outdated because it is out of step with modern global trends and standards. Changes in threat dynamics, mostly after the Cold War ended, have made it necessary, for instance, to rethink how we tackle present problems. That is why it is imperative that we review the Act to make sure it still applies to modern problems. Products are required to bear the name of the manufacturer, the country of origin, the year of manufacture, and a unique serial number according to Article 18 of the ECOWAS Convention. In accordance with the Firearms Act, Sections 13(1), 7, and 42, certain information must be provided on firearm marks. However, some of it is superfluous. International routing becomes more complicated when trying to trace SALWs. It is commonly believed that the extremely lax system in neighboring West African states Mali, Chad, and Niger allows for the regional and international proliferation of small arms and light weapons. Their long history of political unrest, bloodshed, and strife is to blame for this. Because of this, the concept that states have exclusive rights to use force has been called into doubt and state authority has been muddled. Therefore, there are few restrictions on the activities of arms traffickers, and they can operate freely (Malam, 2014). Because of globalization's lowering of national borders, arms traffickers, who are frequently helped by local criminal syndicates, are able to enter Nigeria more easily. The Boko Haram insurgency in the northeast and the country's mostly unregulated borders have both contributed to the problem by allowing weapons to enter the nation.

### **A Critique on Arms Proliferation and Control in Nigeria**

Gun ownership among Nigerian people may not be a modern occurrence but rather a manifestation of the country's colonial past. Ayanwu, 2005. Before colonialism, Europeans disseminated armaments globally through both legal and illegal (slave) trade with Africans. Firearms and other armament were exploited to fulfill imperial aims originating from the Second World War, as Europeans employed force to quell Africa's resistance to their invasion, annexation, and colonization. The British utilized gunboat diplomacy, a preferred tactic, to coerce African leaders into ratifying numerous treaties with their government. The establishment of the West African Frontier Force (WAFF) to engage in the British-Anglo War of 1901–1902 highlighted opposition to British hegemony, among various other insurrections in Nigeria, West Africa, and the broader African continent. Understanding the function of the Royal Niger Company (RNC), later known as the United African Company (UAC), which was supported by the British government in utilizing force to suppress opposing populations

(Chuma-Okoro, 2011; Ter & Selumun, 2018), is essential. These weapons or munitions may have been obtained by Africans during the colonial era and thereafter employed for traditional hunting and diverse activities within rural communities. In a brief period, firearms and gunpowder became symbols of strength and power, thereafter utilized as ceremonial tools at funerals, burials, rites, and traditional celebrations among indigenous communities. Over time, they represented indicators of ethnic and personal distinctiveness, as well as deterrents against invaders and aggressors. Firearms are no longer limited to hunting, safari, and leisure pursuits; they now function as status symbols. Firearms have progressed in terms of utility, lethality, sophistication, accessibility, and the justification for ownership. They have developed into increasingly complex tools of criminality and clandestine operations (Soetan, 2017; Chuma-Okoro, 2011). The 1959 Guns Act was ostensibly implemented to mitigate the increasing spread of guns in Nigeria as it neared independence. Following the civil war (1967–1970), Nigeria's inability to execute a thorough disarmament and arms destruction program exacerbated the proliferation of firearms and illicit arms trafficking in the country. In 2002, several estimates and studies indicated that the number of small arms and light weapons (SALW) in Nigeria ranged from 1 to 3 million, including both those lawfully owned by military and police personnel and those possessed by citizens, who represent the majority. The strict laws suggest that around 80% of small arms and light weapons (SALW) possessed by individuals were acquired illegally. The growing popularity of small arms and light weapons (SALW) in Nigeria raises issues about their legality. Illicit small arms and light weapons (SALW) were utilized in numerous violent confrontations, encompassing ethnic-religious conflicts, community disagreements, sectarian strife, cult activities, political violence, election unrest, vigilantism, militancy, and criminal endeavors. Between November 2006 and February 2007, 212 instances of violent crime were recorded. Two occurrences involved explosives, thirty-four utilized alternative weapons, and 189 employed firearms (Chuma-Okoro, 2011).

### **Significance of the Study**

This paper has the potency to provide government policy makers with factual information as regards proliferation of small arms and light weapons, terrorism and insecurity with a view to guide them in policy formulation. The paper will also be useful to students, researchers and authors carrying out research on similar topic or as bases for further research, as it will serve as a source of factual information's.



## **Theoretical Framework**

The study is predicated within the confine of using an eclectic approach comprising; radical structural conflict and failed state theories, respectively.

### **Radical Structural Conflict Theory**

Radical structural conflict theory asserts that the fundamental cause of conflict is within social organizational structures. The fundamental causes of conflict and violence in any community are reactionary actions such as oppression, exclusion, marginalization, discrimination, unfairness, and injustice. Karl Marx and Friedrich Engels's "Historical Materialism" (Marx & Engels, 1977) and the "Communist Manifesto" (Marx & Engels, 1977) established the foundation for the dissemination of the doctrine. All principal concerns come from the notion that capitalism is a classist economic system that governs the production process and employs economic policies to subjugate the proletariat, or working class (Rawls, 1971). A distinct separation now exists in society between the working class (proletariat) and the elite (bourgeoisie) as a result of the capitalist framework governing production and distribution processes. The economic exploitation of the proletariat has consequently transformed societal issues into a class conflict. Marxists assert that every civilization comprises a foundation and a superstructure.

### **Failed State Theory**

A "failed state" is a nation that is purportedly incapable of fulfilling its essential obligations as a sovereign entity. Oji and Okeke (2014) assert that a state is deemed failed when its social and political processes are disrupted. This age is characterized by social, political, and economic breakdown. Indicators of a failing state include poorly functioning public utilities or services, pervasive crime and corruption, significant refugee populations, and a central authority that is either ineffective or too weak to control most of its territory. A profound economic downturn is a characteristic of a failed state (Oji & Okeke, 2014). As governmental institutions that maintain law and order deteriorate, anarchic manifestations of internal violence will ensue. Ultimately, these institutions will collapse.

### **Methodology**

Methodology simply implies the method through which data are collected and other strategies with which the study is conducted are applied. However, the data used for this study were gathered through secondary sources, which were subjected to content analysis.

## **Discussion of Findings**

The findings from this study reveal a complex and multidimensional crisis engendered by the proliferation of small arms and light weapons (SALWs) in Nigeria. The review identifies a strong correlation between the widespread availability of illicit arms and the escalation of violent crimes, including communal clashes, political thuggery, cultism, and terrorism. These findings support the positions of Ugwumba (2019), Uwa and Anthony (2015), and Mutum (2019), who observed that the unregulated circulation of SALWs exacerbates insecurity, discourages foreign investment, and impedes national development.

A critical point of concern emerging from the findings is the failure of the current legal and institutional frameworks to stem the tide of arms proliferation. Despite Nigeria's alignment with international conventions, such as the ECOWAS Convention on Small Arms and Light Weapons, the lack of domestic implementation has rendered these instruments largely ineffective. The existing legal framework, particularly the reliance on the outdated Firearms Act of 1959, has been criticized as obsolete and ill-suited to address the contemporary realities of arms trafficking, as emphasized in the legislative debates and policy critiques cited in the literature.

Furthermore, the study underscores the inadequacy of institutional responses, particularly the reliance on a Presidential Committee instead of establishing a fully empowered National Commission. This institutional vacuum creates room for inefficiencies in policy implementation and monitoring. The presence of porous borders, weak governance structures, and economic deprivation are also identified as structural enablers of SALW proliferation, further validating the radical structural conflict and failed state theories adopted in the study.

This discourse also highlights the historical underpinnings of arms proliferation dating back to the colonial era. The entrenchment of firearms in the socio-cultural fabric of Nigerian communities has normalized gun possession, gradually evolving from traditional utility to instruments of organized crime. This historical trajectory has reinforced a culture of violence, with arms becoming symbols of power, protection, and political influence.

The findings also suggest that legislative reforms, such as the Firearms (Amendment) Bill of 2018, while commendable in intent, remain insufficient in the absence of broader socio-economic reforms. The study points to the need for a holistic approach that addresses governance failures, poverty, youth unemployment, and systemic corruption—factors that create fertile grounds for arms trafficking and violence.

## **Summary**

This study examined the proliferation of small arms and light weapons (SALWs) in Nigeria through the lenses of radical structural conflict theory and failed state theory. It finds that the uncontrolled spread of SALWs has significantly contributed to violent conflict, political instability, and the erosion of state authority. Despite Nigeria's participation in regional disarmament initiatives and the enactment of legislative reforms, the ineffectiveness of these measures is attributed to poor implementation, outdated legal provisions, and weak institutional frameworks. The study reveals that socio-economic deprivation, poor governance, and porous borders further compound the crisis. These findings highlight the pressing need for a multidimensional approach that combines legal reform with governance enhancement and economic revitalization.

## **Conclusion**

In conclusion, the proliferation of small arms and light weapons in Nigeria represents both a symptom and a cause of the country's deep-seated socio-political and economic challenges. While legislative measures, such as the Firearms (Amendment) Act of 2018, mark progress in reforming the regulatory landscape, they fall short of providing a sustainable solution in the absence of effective implementation and comprehensive governance reform. The study reaffirms that addressing SALW proliferation requires more than legal codification; it necessitates an inclusive strategy that prioritizes state capacity building, public trust, and socio-economic equity. To this end, establishing a well-funded and autonomous National Commission on SALW, improving border security, investing in youth empowerment, and ensuring political accountability are imperative. Only through these integrated efforts can Nigeria hope to reverse the tide of arms proliferation and restore national stability.

## **Recommendations**

### **1. Legislative and Institutional Reform**

Nigeria must urgently revise the Firearms Act of 1959 to reflect current realities and align with international standards such as the ECOWAS Convention and UN PoA. A fully empowered and autonomous National SALW Commission should be operationalized to coordinate policy implementation, compliance monitoring, and international collaboration.

### **2. Border Security and Intelligence Coordination**

To curb cross-border arms inflows, the government should deploy advanced surveillance systems, including drones and biometric technology, at critical entry points. Inter-agency task forces and a centralized intelligence database are essential for coordinated detection and interdiction of arms trafficking networks.

### **3. Socioeconomic and Governance Reforms**

Reducing the demand for illicit arms requires addressing structural issues like youth unemployment, poverty, and corruption. Targeted investments in education, vocational training, and inclusive governance can enhance human security and reduce incentives for armed violence.

### **4. Community Engagement and Disarmament Strategies**

Community-driven DDR programs should be prioritized in conflict-prone areas, ensuring reintegration of ex-combatants and linking disarmament to development. Public sensitization campaigns and secure whistleblower channels can enhance local participation and reduce arms possession.

### **5. Regional and International Cooperation**

Nigeria must intensify cooperation with ECOWAS, the AU, and global actors through intelligence sharing, joint operations, and harmonized legal frameworks. Compliance with Article 18 of the ECOWAS Convention especially firearms marking and tracing is vital to regional security.

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