

INSURGENCY AS AN IMPLEMENT TO BORDER COMMUNITY RELATIONS: AN APPRAISAL OF HUMAN RIGHTS VIOLATIONS

ARZIKA MUSLIM¹, PASHA SHAHBER²

¹Ph.D Research Scholar, Department of Political Science, Mangalore University, Karnataka-INDIA

²Associate Professor, Department of Political Science, Madikeri, Karnataka-INDIA

ABSTRACT

Countries share border with one another and so, have settlements called border communities. Nigeria and Niger are not exceptions. For over ten years, Nigeria and Niger has witnessed serious security challenges through the activities of Boko Haram, who infiltrated through porous borders putting the communities on constant threats and invasion. Presently Niger Republic is fraught with various security challenges. To the north, southern Libya represents a risk zone. From there, terrorists radiate throughout the Sahel region. The insurgents are committing gross human rights abuses and serious violations of international humanitarian law. This paper examines insurgency as an obstacle to cross-border community relations by appraising human rights violations along Kamba-Gaya borderlands. Explanatory research design was adopted. Data were generated via the internet, library, and other documented materials relevant to the studies. This study was underpinned by the theory of state fragility theory. Finding reveals that insurgency is factor that creates obstacles to cross border community relations. The paper therefore recommends and concludes the study.

KEYWORDS : , Insurgency, Human Rights, Border Communities

INTRODUCTION

Through the ages, Africans have migrated across what has been termed international boundaries as pastoralist, traders, muggers, refugees etc. The scramble for Africa by the colonialist which led to the partitioning of Africa following the Berlin Conference of 1884-1885 brought the idea of artificial border on the continent, which in turn resulted in the curtailment of free movement of, goods and services across the international borders. Kamba-Gaya borders are arbitrary borders that were drowned on maps and imagined in the minds of colonial administrators as a sharp lines and impenetrable barriers separating colonial possessions, but the actual situation was and often remains one of the continued interactions between partitioned ethnic groups, people divided continue their normal activities ignoring the separating line Asiwaju (1985). Though they adjust to its presence as manifested in national citizenship. The community at this international border may be physically separated by the international boundary but their fortunes, prosperity and fame are very much intertwined. The community that resides on either side of the border is both heavily dependent on each other.

While porosity on these border may aptly be blamed on colonialism, African leaders have also contributed in no less to it by border mismanagement, thus opened them up to various foreign hostile incursions. As Okumu (2010) notes “the higher level of insecurity on African borders is largely due to the way

they are administered and managed, and less to do with colonialists drew them”. What has been generally said of insecurity is particularly true of cross-border insurgency especially in form of armed conflict Abbott, et al (2006) insurgency has continued to pose as the greatest peril of global peace and security in the 21st century Some years back insurgency is only experienced in a few isolated place such as in Northern Spain, the Northern Island and some locale in the Middle East. (Barga 2012) argued that the phenomenon is now clearly evident across the globe with the uprising of terrorist groups such as the Kashmiri groups in India, Karen and Shan groups in Thailand, Al-Qaida in Niger, Benin, Taliban in Afghanistan, and Boko Haram, the Syrian Islamic Liberation Front in Syria (ISIS), Hezbollah in Lebanon, and Hamas in Palestine etc.

In India, Lal (2012), averred that “the radical Islamic groups domiciled in Indian Kashmir, insurgent groups in the northeastern provinces, and groups launching attacks on major cities generally have ties to Pakistani extremist groups” (Lal, 2012: 129) such as Lashkar-e-Taiba and Jaish-e-Mohammed (Lal, 2004). They also have a strong link with global Islamic extremist movement such as Al-Qaeda. The attacks carried out on India’s Parliament in 2001, the UN Consulate in Calcutta in 2002, and series of attacks in Mumbai in 2008 attest to the preceding. In Thailand, ethnic insurgent groups such as the Karen and Shan groups have carried out activities across the

border into Myanmar which have at various times severed the relationship between the two countries

Similarly, in 2006 Israel launched series of fierce attacks on Lebanese terrain. This was targeted at the Hezbollah fighters who had apprehended Israeli soldiers and continued to fire rockets across the border into Israeli soil. This move did not only severe the relationship between Israel and Lebanon but appreciably threatened to further weaken regional relations, particularly as Syria declared its staunch support for Hezbollah (Hughes, 2012).

This menace has been replicated in Africa such that the continent is increasingly becoming a breeding ground for various insurgent and terrorist groups owing to the weak structure of many African states who are unable to apply force within their territory and effectively police their borders (Herbst, 2000). The Lord's Resistance Army in Northern Uganda, the Al-Shabaab in Somalia, the National Movement of Azawad (MNLA) in Northern Mali, the Al-Qaeda in the Islamic Maghreb (AQIM) in Mali, and Niger Republic the M23 Rebels in Democratic Republic of Congo, Boko Haram in Nigeria and Niger Republic and a host of others are examples of infiltrating insurgent or terrorist groups existing on the continent. Notably, the most damaging effects of these insurgencies around the globe have been the high rate of humanitarian crisis in form of internal displacement, refugee influx, food insecurity, epidemic, and gender and sexual based hostility (Hughes, 2012). Cross-border insurgency equally has the potential of breeding tension within a region which may eventually lead to war. An example is the case of Rwanda who, so many times went across the border into Congo DRC to fight the Hutu insurgents in their hideouts and to punish members of such communities for harboring such groups (Lal, 2012)

This border has been enmeshed in a firebox of insecurity leading to scores of deaths of innocent people. Continuous attacks on communities across the two borders have deteriorated relations among people who have the same historical, socio-cultural, and anthropological background. The insecurity challenge across these borders has assumed formidable dimension forcing the people to rue the loss of their loved ones, investments and absence of safety in most part of the borders. The number of violent attacks is increasingly becoming the regular signature that characterizes life across these borders. The implication is that these borders now symbolize unsafe place of abode and continued movement of people across it. Because business, social and religious activities thrive tremendously in an atmosphere devoid of rancor and political quagmire. In this paper, focus is set out to examine how insurgency becomes detrimental and inimical to border community relations across these borders and provide remedies to the menace of insurgency along these borders.

THE PROBLEM

The quagmire in which insurgency challenges has placed this borders is unquantifiable. Border communities face neglect, politically, socially and economically compared to the hinterland of their nation-state. It is an undeniable fact that border communities face a lot of security threats and challenge through cross-border criminalities. While the current researcher was on a preliminary field trip to borders, it was discovered that security threats are a peculiar reality to all border communities. In fact, it was mentioned that the community face attacks from external, terrorist aggressors. Border communities in the Northern Nigeria and Southern Niger face challenge that consistently threatens the survival of people living in the borderland. The region has failed to observe civil order, resulting in appalling humanitarian situation manifesting in human rights abuses. The insurgents have exposed the porous nature of the borders of African countries where it has resulted in insecurity and violence in certain border communities of these countries. From this discussion the border communities have always been at the receiving end of insurgent activities being the first victims of their attack. They do not have government attention, in spite of this; they still continue to survive in the face of daily threats.

Little studies have been conducted on insurgency threats that daily confronts border communities within the African purview and Kamba-Gaya borderlands in general. This study calls for a full scale and detailed examination of the problems. It is against this background that the study seeks to address the following questions....this study seeks to address these by appraising the experience of Kamba-Gaya border communities.

OBJECTIVE

- (1) To highlights the patterns of cross-border insurgency across the border
- (2) To explore the problems of the insurgency in cross-border community relations
- (3) To investigate modalities employed by the two governments to curve the menace of insurgency across the border

METHODOLOGY

The study employs qualitative research model as a strategy for data collection using phenomenological case approach which counters the idea that natural science alone determines what is real and what is not, and that all concepts that we wish to take seriously must be reducible to concept of the exact sciences (Overgaard and Zahavi n.d). Qualitative method will be apply in analyzing data and it could be serve as a lens through which insurgency could be carefully studied. Indeed the significance of qualitative method lies in its capacity to be applied at every stage in the research process in this field.

Secondly the adoption of this method deepens our understanding of the nature and pattern of insurgency operations across these borders. This is explain why Denzing and Lincon (2003) contended that since 1920s and 1930s qualitative method established itself as an important instrument for the study of group life.

THEORITICAL FRAMEWORK

In an attempt to explain insurgency as an impediment to border community relation along Kamab-Gaya borderland a state fragility theory is employed as a guiding principle of this work. Nayi (2012) establishes that the outbreak of wars, factional conflict, economic, religious, ethnic and political conflict, poverty, guerrilla activity and generally the development of “new wars” which are beyond conventional warfare, prompted policy analysts to forge new concepts such as quasi-state and fragile state. According to Kaldor (2013), new wars are the wars of the era of globalization and found in areas where authoritarian states have been greatly weakened as a consequence of opening up to the rest of the world. The new wars may occur in the form of terrorism and insurgency considering the involved state and non-state actors and their goals which always rest on economic, political and social interests or religious identity. Having established that state fragility theory is more of contemporary than modern concept, it is important to state that fragile states are those that fail to meet the essential human needs of their citizens thereby making them vulnerable to security issues, such as poverty, unemployment, environmental conditions, violent attacks, kidnapping, trafficking, displacement, etc. Torres and Anderson (2004) argues that sovereign states are expected to perform certain minimal functions for the security, wellbeing of their citizens and the smooth working of the international system, but in a situation that these states renege or failed in their expectations and citizens become obviously plunged in difficult living conditions, the states necessarily become classified as ‘weak’, ‘fragile’, or ‘poorly performing’. As pointed out by Bolton and Okumu (2007), 50% of fragile states’ populations live on/under \$1.25USD a day, which significantly increases the likely hood of violence, poor health, low educational attainment, armed conflict as a result of extreme poverty.

THE NATURE OF INSURGENCY

The central motive of insurgency is to overturn particular conditions by employing a wide range of violent, political, social, and economic means to achieve that goal. Each insurgency reflects unique conditions, characteristics, and dynamics and making simple solutions based on doctrinal formulas difficult if not impossible. Nonetheless, most share certain common traits. Insurgencies are largely internal conflicts waged by indigenous movements for political, economic, or social control of a particular state or region. While other states

may support insurgents, the impetuous for change lies not with invasion from without, but uprising from within. In fact, able to draw from loosely connected networks; often located outside the conflict zones, for expertise, clandestine funding, and ideological support they have thus grown far less reliant on

In the broadest terms, insurgents need five types of resources: 1) manpower; 2) funding; 3) equipment/supplies, particularly access to arms, and explosives; 4) sanctuary (internal or external); and, 5) intelligence. The amount needed varies from insurgency to insurgency. Some, for instance, need mass support, others do not. Some only need public. Insurgent resources can be provided, seized, or created.

SOURCES OF INSURGENCY

The starting point should be to understand the causes of insecurity as well as to investigate their sources of social disorder and instability. As Andrew and Barga (2000) pointed out, it is necessary to distinguish between different. In order to provide a holistic view to the suggestion or solutions. More often, however, some scholars are disinclined to isolate and clarify particular causes. Considering that the causes of insecurity are interwoven and contributory to one another. Like in many other societies, the sources of insecurity across this border have been traced to a number of factors and explained by different people. These factors have been classified into external and internal factors. Beyond the external-internal dichotomy, sources of insecurity have also been classified as either remote or proximate and immediate sources/causal factors. A long this border challenge is not so much about insurgency of external sources, but rather that of internal sources. Hence, our focus in this paper is on the internal sources. We recognize that some internal factors have been enhanced and strengthened by the presence of external forces, but, there is no doubt that, if the internal situations did not present themselves, the external forces would be unable to infiltrate. We present the internal causes of insurgency across this border using the dichotomy of remote and immediate factors.

Lack of political will and institutional capacity: The government of the two countries has is ot sincere in the fight of insurgency across this border due to the political motive and weak intuitional capacity of both countries. The lack of security across this border is basically the function of the government which is associated with the total collapse.

Ethno linguistic conflict: Both Nigeria and the Republic of Niger are faced with this conflict. These have arisen from distrust among various ethnic groups and among major religion in the country’s most especially in Nigeria, Ibrahim and Igbuzor (2002), Hazen and Horner, (2007), Salawu (2010) and Igbuzor (2011) argued that ethno religious conflict is a major sources of insurgency and insecurity across the border.

Weak security network: This has its genesis from the lack of proper and sophisticated modern equipment for the security forces coupled with poor attitudinal and behavioral disposition of security personnel. Thus instead of being a watch dogs of national and defending national interest and values, and protecting people from harm by criminal agents, they become saboteurs of government efforts, by fuelling and supporting insecurity through either leaking vital security information or aiding and abetting criminal to acquire weapons (Achumba and Akpor, 2013)

STUDY AREA

Kamba (Nigeria) and Gaya (Niger Republic) International Border

There are several points of argument that dominate the literature on border politics in the African context. Colonialism dissected the West African people into two blocks- the Anglophone and the Francophone and each of this have a strong attachment to its former colonies (Asiwaju, 1984:240). The creation of Nigeria-Niger border cannot be treated outside the larger history of colonialism. The resultant effect of colonialism in Africa is the disruption of lands and tribe of Africa into different socio-economic and political formations which this border is not in exception the boundary which separated Kamba from Gaya is less than one kilometer from Kamba and not more than one kilometer from Gaya. The boundary is characterized by shrubs; the boundary makers (becons) are not easily visible along the line of the border separating Kamba and Gaya communities. Only a small area covered by shrubs appearing as no man's land or buffer zone shows the boundary. But one things that shows one that one is out of Nigeria's area of jurisdiction when going to Gaya is the presence of trees as soon as one enters into Niger territory from Kamba. This is because the law regarding the preservation of trees is more effective in Niger than in Nigeria the border was demarcated between 1906-1908. The two communities remained separated ever since.

THEORITICAL DISCUSSION

The term insurgency conjures often widely disparate interpretations, suffering at the hands of both experts and pundits. Commonly accepted meanings remain elusive, with predictable conceptual confusion. Insurgency or rebellion is a movement aimed at replacement or violent attempt to take control of legally existing constituted government or society through the use of armed conflict or subversion. The Advanced English Dictionary it is an organized rebellion aimed at overthrowing a constituted government through the use of arm conflict. It is indeed a rebellion against authority.

According to Powell and Abraham (2006), insurgency refers to a violent move by a person or group of persons to resist or oppose the enforcement of law or running of government or

revolt against constituted authority of the state or of taking part in insurrection. Insurgency as defined above violates the constitution's criminal law and the international treaty obligations of a nation in the following circumstances: When it constitutes an attack on defenseless citizens and other property resulting into injuries, loss of lives and properties as well as forced or massive internal displacement of people out of their habitual places of residence. When it drives business/ investors away from an insecure area and also when it constitutes domestic and international crimes punishable by law such as treasonable felony, terrorism, murder, crimes against humanity and genocide. (Powell and Abraham, (2006)

Thomas, R. (1990). Insurgency is a hybrid form of conflict in which a clandestine organization seeks to gain control of a state from within through a combination of subversion, guerrilla warfare, and terrorism. William Rosenau notes the lack of an agreed upon definition of subversion, but points out that the term generally applies to a wide range of activities employed to weaken a country by attacking key institutions with means short of armed conflict.

PATTERNS OF ATTACK ACROSS THE BORDER

Insurgency has manifested in different forms across the Niger-Nigeria border. As studies have shown, border communities are the first recipient of these dastardly acts carried out by the devilish sect. Salkida (2012) points out that communities attacked in the region are mostly border communities where life has been horrible, brutish and short-lived. Most of the attacks carried out by the sect are done across the borders of the two countries and that is why border communities suffer the most. Our data revealed that the border communities have suffered a lot of attacks from the group. They equally expressed their worries and fears of imminent attacks on them. These vary from suddenly shooting sporadically which make the people scatter all over the community, destruction of banks, police station and market places and burning of houses in the communities. Ambushes, improvised explosive devices, kidnappings, apparently random bombings, and selective shootings, for example, prove extremely difficult to combat and can be morally and physically debilitating to the victims.

CHALLENGES TO BORDER COMMUNITY RELATIONS

This borderland have been treated by insurgent as a zone with little or no history to tell by accentuating tension and created dilemma, chaos, instability, and tension due to incessant attack by the insurgency. The activities of insurgency across this border had dissected homogenous African communities, these communities have identical ties of religion, culture, ethnicity, language and dialects, marriage, and kinship and, chieftaincies. Pophinwa (2007) stated that people of a common culture and

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language living on both sides of the border, sharing intimate knowledge of a myriad bush trails connecting neighbouring markets and villages across the boundary. The insurgency had politically dissected the community with similar African political system, more particularly chieftaincy title. The communities' chiefly polities were greatly disunited and split by what was to them 'an unaware attack'. The destruction and denial of rights to movement and association across the border of this homogenous communities and chieftaincies' has informed the way their rights has been violated by insurgency and neglected by their government.

The general disregard of the border by the insurgency has changed the manner in which borderland communities relate and use the border. Cross-border movement and activities between the partitioned communities as locals interact and seek necessary services or facilities that are absent on the other side of the border has generally changed across this border. The implication is that the border zone has symbolizes unsafe place of abode and has also been included among one of the terrorist zone of the two countries as a result of insurgents activities. Therefore, investors, foreigners, expatriate and even indigenes of both countries are scared of commuting and committing their hard-earned resources in the business across the two borders. Their activities across this border has caused a deep rooted mistrust among the border communities, the phobia of attack has forced a number of people to leave their ancestral land most of them engaged in trade. The group had impacted negatively on peaceful relations among the communities. The physical and psychological wounds of the insurgency will perhaps be indelible across this border.

CHALLENGES TO HUMAN RIGHTS

This influential approach is built on the fulcrum that every person deserves to enjoy basic human rights. In this sense, there is the recognition of a core set of human rights which every individual in a society is entitled to enjoy. John Locke (1632-1704) was the groundbreaker of this approach. He held that it is not so much the application of reason to acts that is important to morality, but an appreciation of the fair and equal treatment of all people, enshrine in the recognition of basic human rights.(Greenwood,2002). According to Locke, the key rights include security, freedom and rights to property. The menace of insurgency had serious implications on the fundamental rights of privacy of shelter, association, religion, thoughts and conscience, freedom of expression and assembly among others. While insurgency forcefully dislocated people in most towns and villages across the two border and those who are not affected equally suffer from the fate of those dislodged population. The war on insurgency and insurgency itself has negatively impacted on the rights of both Nigerian and Nigerien citizens. People were denied exercising their freedom of movement. Extra judicial

killings of innocent citizens in some cases, impunity and jungle justice flourished in most part of Northern Nigeria and Southern Niger Republic as a result of the insurgent attack.

FINDINGS

Border concept in Africa changed from traditional perspectives to international (universal) concept with colonial acquisition of territories and independence of modern African states. The concept of border relations, migration, inter-state relations and border trading in Africa however did not result into any major crisis until various Governments of independent African States began to deal with issues related to boundary management, claims and counter-claims over national territories in the determination of crossing lines or borderlines in frontiers of new African states. Neighbours and land occupiers who easily migrate from one land to the other occasioned by needs and circumstances and without any specific limitations in traditional African settings, other than to understand and fulfil the requirements for use of the land in any specific location or society, now finds it difficult or impossible to do so. This is because the state policy regulating migration, relocation and cross border activities within the region were determined by Governments of each independent African States and not by their people despite the traditional and cultural relationship existing across the the borders. No one could easily move from one location in one independent state to the other without official permission. Hence, Africans became aliens of each other by colonial experience and the new nations born at their independence from colonial rule. They were therefore compelled to manage their citizens' aspirations for cross border and inter-state activities within their borders and dictates of the law. The damage done to traditional mode of life, migration, economic cooperation and regional integration was vividly recounted as one of the major challenges of inter-states relations and cross-border activities while looking at the traditional relationship between Kamba-Gaya border communities within the context of cross-border relations. The crisis generated by state centric perspective of border controls and reactions of the national governments involved. A good illustration of the above indicated that Kamba border communities were age-long partners of their neighbouring Gaya communities in the same border areas. The two groups cooperate for mutual benefit to the extent that entrusted their people whom they share the same life style facilitates and utilize the border for the benefit of all.

CONCLUSION

One can argue whether insurgents are otherwise ethical people forced to do evil things by desperation and weakness, or whether evil people are inherently drawn to insurgency. Clearly, this act is characterized by depravations of the most terrible type

RECOMMENDATIONS.

- The two countries should build joint structures to identify incipient insurgencies, deter or prevent them, and
- develop regional support systems when they break out.
- Develop and exercise interagency techniques to build effective security and intelligence forces rapidly in the affected areas
- .Develop an effects-based method of counterinsurgency planning, test this through robust experimentation, analysis and war gaming if possible.

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