

**CONTENDING WITH TRANS-BORDER CRIME IN THE NIGERIA-BENIN BORDER:  
A REVIEW OF THE APPROACHES AND IMPACT OF NIGERIA'S MILITARY  
GOVERNMENT, 1984-1999**

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**Abstract**

This article examines the various approaches of Nigeria's military governments in contending with the threats posed by trans-border crime in the Nigeria-Benin border to Nigeria's economic and security well-being in the 1980s and 1990s. However, existing literature has overlooked this all important subject in knowledge. This article argues that, as in other parts of the world, trans-border crime has led to the collapse of infant industries, created an unemployment crisis, smuggling of arms and ammunition, as well as sub-standard products into Nigeria. The article adopts a qualitative and interdisciplinary approach. The findings reveal that the phenomenon of trans-border crime dates back to the colonial period in border areas where rival colonial masters share a border, as was the case between British and French territories in colonial West Africa. It concludes that a holistic approach jointly agreed by both countries should be implemented to curb the menace of trans-border crime at the Nigeria-Benin border.

**Keywords:** Border, Illicit Enterprise, Immediate Neighbours, Approaches, Trans-Border Crime

**Introduction**

The incursion of the Nigerian military into the political administration of the country in the 1960s, until the eve of the twenty-first century, ushered in different narratives in the manner and measures they have responded to national issues that have affected the lives of the citizens, the country at large and the patterns of interactions with Nigeria's immediate neighbours.<sup>1</sup> However, despite the shortcomings that are associated with military rule, the respective military governments have remained resolute in defending the country's territorial integrity, borders and sovereignty, as well as ensuring law and order are maintained internally. Similarly, an interesting feature of military rule in Nigeria is the fact that they have ensured that the country remained indivisible, notwithstanding the differences and polarisations among the various ethnic nationalities merged by the British colonial master during the colonial period, as Nigerians.<sup>2</sup> For instance, the Nigerian military rose to the occasion to halt the political crisis that engulfed the country's First Republic (1960-1966); likewise, they sacrificed men and officers on the altar of one Nigeria during the country's civil war (1967-1970), when a section of the country from the south-east region sought to secede from the rest of the country.<sup>3</sup> In the same vein, the military government has contributed to the economic and infrastructural development of the country, witnessed in the 1970s, as well as projected the country's image abroad through a robust and assertive foreign policy that had Africa

as its centrepiece.<sup>4</sup> This notwithstanding, the enormous contributions of the respective Nigerian military governments to nation building and advancing the socio-economic and political development of the country, they were, however, confronted with the issue of trans-border crime, the illicit movement of contraband items across the country's borders with its immediate neighbours.<sup>5</sup>

Trans-border crime is an illicit enterprise engaged by criminal groups or gangs spanning centuries in different parts of the world.<sup>6</sup> It involved the smuggling of contraband goods across the borders of one country to another. Trans-border crime has impacted negatively on the economic and security well-being of nation-states globally, including Nigeria. The illicit criminal activities of trans-border crime include smuggling<sup>7</sup> of banned goods, petroleum products, human and drug trafficking, currency counterfeiting, money laundering, smuggling of arms and ammunition, and cross-border armed robbery.<sup>8</sup> These illicit activities across Nigerian borders with its proximate neighbours have denied the Nigerian government the needed revenue, weakened infant industries across the country thereby creating unemployment crisis, opened the door for adulterated and substandard goods into the country injurious to the health of Nigerians, as well as impacted in the loss of lives through the smuggling of arms and ammunition into the country for violence purposes. However, despite the growing threat posed by trans-border crime on Nigeria's economic and security well-being, the respective Nigerian military government made several efforts to contend with the expansion of the illicit enterprise across its borderlands, with its immediate neighbours.

The growing threats or expansion of trans-border crime globally in recent years have equally led to the expansion of literature shedding light on the various dimensions of the illicit enterprise or underground economy. Peter Gastrow provide insight into the geopolitical dimensions of African criminal networks operating across the length and breadth of the continent. It reveals the actors, illicit items traded, the route and transnational demands of the various illicit items smuggled within and outside the continent.<sup>9</sup> On their part, Sabrina Adamoli et al. reveal the concerted efforts of nation-states through the agency of the United Nations (UN) to form a united front to contend with the perpetrators of transnational organised crime, owing to the enormous effects of the illicit enterprise on their socio-economic wellbeing and national security.<sup>10</sup> The literature on trans-border crime equally examines the policies of some states to curb the menace. To this effect, Gaël Raballand and Edmond Mjekiqi interrogate some of the economic and national security policies of the Nigerian government to curb trans-border crime from its borderlands, through protectionist policies to protect its infant industries, placing an embargo on certain foreign goods, as well as closing its borders with its immediate neighbours.<sup>11</sup> These policies, however, have not been able to achieve their objectives owing to certain factors (porosity of the borders, corruption among officials, etc.), which have continued to galvanise smuggling in the borderlands. Jackson A. Aluede examines the impact of smuggling in the Nigeria-Benin border on the Nigerian economy. He revealed that the contradictory economic policies of both countries, the underdevelopment and neglect of the Nigeria-Benin border, to some extent, have fuelled smuggling in their borderlands, and other factors.<sup>12</sup>

It is interesting to state that none of the works reviewed examine the efforts of the Nigerian military government to curb the threats posed by trans-border crime and its perpetrators on the country's security. This gap formed the focus of this paper. It examines the various efforts of some

military administrations from 1984 to 1999 to contend with the threats of trans-border crime in the borderland, focusing on the Nigeria-Benin border.

### **Conceptual Clarification: Trans-Border Crime**

Some concepts will run through this paper to provide clarity and understanding of the subject matter. It is therefore imperative to clarify these concepts for easy understanding. Trans-border crime is used interchangeably with transnational organised crime, transnational crime or cross-border crime. They all connote the same meaning, which is the perpetrating of criminal activities across the border of two or more countries.<sup>13</sup> On the other hand, S. O. Ering refers to trans-border crime as crime committed in more than one state in which a substantial part of its preparation, planning, direction or control takes place in another state, involving the organised criminal group.<sup>14</sup> Studies on trans-border crime show that it has impacted negatively on the economy and security of nation-states, including Nigeria, and that its perpetrators must be curtailed.

### **Border/Borderlands**

The concept of the border has been defined differently by various scholars. However, they all agreed that borders are a dividing line that separates people, culture and administrative units and countries from each other.<sup>15</sup> Borders share some unique features globally. They are artificial or man-made, porous, and underdeveloped, especially those of developing countries.<sup>16</sup> Furthermore, owing to the underdevelopment of border regions of most developing countries, including Nigeria, they become notorious havens for criminal activities, especially the illicit enterprise of trans-border crime. Borderlands are the sub-national areas whose economic and social life is directly and significantly affected by proximity to an international boundary.<sup>17</sup> It must be said that borderlands are territories between two sovereign states, close to the border or boundary. In summary, borderlands are regions in which there is a high influx of cross-fertilisation of socio-cultural, economic and political activities between the people across their borders, such as the Niger-Benin borderlands, Ghana-Togo borderlands, and France-Germany borderlands, among others.

### **The Making of the Nigeria-Benin Border**

The Nigeria-Benin border was the making of the British and French colonial masters in the late nineteenth and early twentieth centuries. Several factors necessitated the creation of the border. They include the abolition of the slave trade that lasted for over four centuries culminating in the force movement of able African men and women to the 'New World' to toil the Americas, the civilization of Africa from barbarism, the abolition of the slave trade gave birth to the rise of legitimate trade in agricultural produce between African farmers and European merchants for export to Europe, to oil the European factories, European quest for the interior of Africa and finally, the subjugation of African territory by European imperialist for colonization.<sup>18</sup> Furthermore, they were driven by the desire to access the interior of the continent by navigating some strategic water ways such as the Rivers Niger and Benue, and other water channels across

Africa.<sup>19</sup> These events resulted in the scramble for African territory by some European powers (France, Spain, Britain, Portugal and Germany) in the second half of the nineteenth century. In West Africa, the quest for African territory by European imperialists for raw material of agricultural produce and a market for their finished goods intensified with the signing of treaties among the contending European powers, especially between Britain and France.<sup>20</sup> Both colonial authorities quest to secure sizeable territory in their respective sphere of influence in West Africa made frantic efforts to sign treaty of protection with the traditional rulers, or chiefs of the respective African empires, kingdoms, towns through their agents to lay claim of such territory culminated in rivalry, especially, claims and counter claims over the genuineness of some of the treaties signed with some African traditional rulers.<sup>21</sup>

At the southern margin of the Nigeria-Benin border, disagreement concerning strategic seaports in Badagry (Nigeria) and Port Novo (Benin Republic), as well as waterways linking major towns such as Ipokia, Ajara, Apa, and Ketanu, almost brought both British and French authorities to war.<sup>22</sup> To avert the conflict between both colonial masters over the disputed territories, they agreed to meet and address the issue through the Lagos Convention of 1888.<sup>23</sup> However, to avoid a broader conflict or war among European imperialists over African territories, the then German Chancellor Otto von Bismarck summoned a gathering of European imperialists having claims to territories in Africa to resolve their claims and partitioned the continent among themselves without the consent of the African people.<sup>24</sup> It was in this gathering, popularly referred to as the 1884/1885 Berlin Conference on Africa, that the continent was partitioned among European powers. Each of the imperialist powers presented the treaties they had signed with African traditional rulers as evidence of the legitimacy of the territory they claimed. It was at this juncture that the Nigeria-Benin border between British and French colonial territories was created in theory.

The Nigerian side of the border was partitioned to the British; on the other hand, the Beninois side of the border was handed over to the French colonial authorities.<sup>25</sup> However, despite, resolution reached in Berlin, Germany concerning the status of African boundaries among the European colonialists, there were issues regarding the exact boundary line of the respective African colonies, now under European flags. To address this challenge in the Nigeria-Benin border, the British and French colonial authorities formed the Anglo-French Convention, comprising colonial officials of both countries, to examine and draw the exact boundary line between the two colonial territories. The Anglo-French Convention of 1889, 1906 and 1914 established the boundary demarcation between the two colonial territories, which was subsequently bequeathed to independent Nigeria and the Republic of Benin in 1960.<sup>26</sup> The Nigeria-Benin border covered a land boundary of around 770 kilometres. The borderland is dominated by three ethnic groups, the Yoruba, Ogu, and Bariba.<sup>27</sup> The impact of the partitioning of Africa has been extensively examined in the literature by different scholars within and beyond Africa. This notwithstanding, the underdevelopment of African borderlands, owing to their periphery status, can be traced to the colonial period, a trend that has continued into postcolonial Africa.<sup>28</sup> Several post-colonial African states, including Nigeria and the Benin Republic, are guilty of this development, which, to some extent, has contributed to trans-border crime in the border region.<sup>29</sup>

## **Trans-Border Crime in the Nigeria-Border: An Overview**

Trans-border crime is an illicit enterprise that occurs across the borders of two or more countries involving individuals, groups, and cartel networks for several benefits, not limited to financial gains, material enrichment, as well as economic, socio-political and religious considerations.<sup>30</sup> Trans-border crime is a criminal offence all over the world; it robs nation-states of revenue, threatens national security and economic prosperity of countries globally. This explains the several laws enacted by African countries to curb illicit enterprise and arrest the perpetrators.<sup>31</sup> The origin of trans-border crime in the Nigeria-Benin border can be traced to the colonial period, following the establishment of the colonial boundary. The development culminated in the creation of the colonial border post by the respective colonial authorities to regulate the movement of persons, traders and goods, or items of trade across the borderlands.<sup>32</sup> It is imperative to note that colonialism removed the ancient landmarks of precolonial Africa and replaced them with features of the European state system that emerged in 1648, following the signing of the Treaty of Westphalia by some European states, after the Thirty Years' War (1618-1648).<sup>33</sup> In Berlin, Germany, the European imperialists who gathered to share African territories for themselves replicated the state system in Europe in Africa through the creation of borders to separate different colonial territories from one another. This singular event uprooted some of the ancient landmarks of precolonial Africa. It distorted the free movement of Africans, especially traders engaged in long-distance trade. It introduced a fixed border post, whereby Africans are made to pay tax or toll levies to the colonial authorities before they can cross the border from one colonial territory to another.<sup>34</sup>

Similarly, African traders were restricted from trading in their local items; instead, the colonial introduced foreign goods to the African market, to replace local liquor, agricultural produce, palm oil, palm kernel and other items traded between different communities in the borderlands, and by extension, the major towns in colonial Africa.<sup>35</sup> This notwithstanding, the creation of border posts by the British and French colonial authorities in their respective areas was aimed at promoting and establishing their colonial economic policies to eliminate and replace African traders and their items of trade with those of European foreign goods. Both the British and French colonial masters sought to create markets for their nationals trading in West Africa; therefore, the border post was aimed at displacing African traders trading in locally made goods.<sup>36</sup> The rivalry between the British and French colonial merchants to dominate trade was very intense in the Nigeria-Benin border area after the Berlin Conference. Both colonial authorities introduced various strategies to outmanoeuvre each other, such as contradictory tariff regimes to attract foreign and local traders. For instance, tariffs on imported goods were higher in British colonial Nigeria than in French colonial Benin.<sup>37</sup> However, to effectively dominate trade between Badagry and Porto-Novo, the British colonial Governor of the Nigerian area, Sir John Glover, appointed Thomas Tickel, a Briton, as Vice Consul of Badagry and its environ with the charged of regulating trade in the area, as well as, implement effective border control with the objectives to favour British traders and halt smuggling within his areas of control.<sup>38</sup> Unfortunately, long distance traders from the interior of Yoruba land such as Oyo, Nupe, Ilorin, Owu, Egba and others were affected by contradictory tariff system of the colonial authorities in the late nineteenth century.<sup>39</sup> The development, however, expanded smuggling across the respective borders of both colonial territories. In the words of L.C. Dioka:

“The Anglo-French agreement of 10th August 1889 transformed the colonial boundaries into the international boundary. But rather than curtail the excessive degree of smuggling, the boundary exacerbated it; hence, with it (the boundary), smuggling became a stable feature of the region. British and French nationals were confined to their side of the boundary while waging tariff wars. While the French encourage investment and settlement of their nationals in keeping with their policy of assimilation imposed low tariffs, the British, on the other hand, imposed high tariffs on their colonies to cover the administrative cost”.<sup>40</sup>

It is therefore imperative to note that the development in the Nigeria-Benin border during the colonial period galvanised trans-border crime in the form smuggling in the region as traders from both sides of the border exploited the discrepancy in the tariff war between both colonial authorities on the price of goods in Lagos and Badagry were forced to seek cheaper goods from Porto Novo through smuggling in colonial Benin Republic.<sup>41</sup> The colonial authorities could do little to halt smuggling during the period because the indigenous people circumvented alternative routes known to them in the borderlands to evade the border post, smuggled goods into their territory, as well as carried out their trading activities with fellow indigenous traders.

Trans-border crime in the Nigeria-Benin border progressed steadily from the colonial into the post-colonial period. This notwithstanding, other factors have contributed to the expansion of the illicit enterprise, namely unemployment and increasing poverty, a failed structural adjustment programme (SAP), the lucrative nature of the illicit trade and the contrasting economic policy of Nigeria and the Republic of Benin.<sup>42</sup> The effect of trans-border crime has been huge on Nigeria, compared to the Republic of Benin. This is because, unlike Nigeria, the Republic of Benin operates a liberal economic policy that allows for the importation of various foreign goods into the country, as against Nigeria’s protectionist economic policy that is opposed to the importation of certain goods or items.<sup>43</sup> It is important to state that because of the economic policy of Benin, particularly the low tariff on importation, it has encouraged Nigerians and other neighbouring countries sharing a boundary with the former French colony to import through its seaport. Unfortunately, the imported goods are smuggled from the Benin Republic to the countries of the importers.<sup>44</sup> The porosity of the borders between Nigeria and the Republic of Benin, globalisation, and to some extent the corrupt practices of some security personnel patrolling the borders have aided smuggling and other forms of trans-border crime in the Nigeria-Benin border in the postcolonial period.<sup>45</sup> The criminal activities of smugglers on the Nigeria-Benin border have contributed to the collapse of local industries across the country, the importation of contraband, and the reduction of government revenue.<sup>46</sup>

## **Impact of Trans-Border Crime in the Nigeria-Benin Border on Nigeria's Economic and Security**

As already established, trans-border crime was traced to the Nigeria-Benin border during the colonial period. Thereafter, it progressed into the post-colonial era owing to several factors above. However, the criminal activities have impacted negatively on Nigeria's economic and security well-being during the period under review. Among the Economic impact of trans-border crime on Nigeria is that it flooded the Nigerian market with contraband goods such as smoked fish, food and dairy products (rice, sugar, milk), tobacco/cigarettes, textiles (Holland wax, Dakar wax, English wax, Austrian lace, women headgear, silk material), pharmaceutical products, second-hand clothes, used cloths, bed spread, and pillow cases, farm produce, used and imported tyres, tubes, and whiskey, schnapps, gin, brandy, tomato paste, and second cars etc.<sup>47</sup> These items are smuggled into the country through its porous borders with the Republic Benin, and they have had adverse effects on the manufacturing sector of the economy. This is because the smuggled goods were sold across the country at cheaper prices, to the disadvantage of local industries manufacturing similar products or goods. Several manufacturing industries were affected by the criminal activities of trans-border crime, especially, the textile sector. In an interview with the Punch Newspaper, the Director-General of the Nigerian Textile Employer Association affirmed that "in 1980, Nigeria had about 180 textile firms in operation; but had less than 24 functional mills today."<sup>48</sup> He attributed the near collapse of the textile industry to smuggling resulting in the lost job for many Nigerians.

There were also security implications of trans-border crime in the Nigeria-Benin border during the period under review. For instance, the smuggling of fake and adulterated pharmaceutical products, arms and ammunition and currency counterfeiting into the country from the Nigeria-Benin border posed enormous security threat to Nigerians. These developments explains the reasons the military administration of General Muhammadu Buhari (1983-1985) had to close the country's border with Benin in an attempt to halt the economic and security implications of illicit flows of contraband items into Nigeria.<sup>49</sup> The porosity of Nigeria's borders with its immediate equally enabled arms traffickers to smugglers deadly weapons into the country during the period under review. This development explained the used of weapons in ethno/religious and communal that engulfed different parts of Nigeria, shortly, after the commencement of the fourth republic, in 1999.<sup>50</sup> Similarly, successive administration initiated other approaches to contend the trans-border crime-border crime in the country's borders with the Republic Benin

### **Approaches to Contending Trans-Border Crime in the Nigeria-Benin Border**

The Nigerian military government of General Muhammadu Buhari (1983-1985) was the first government to take a drastic measure to confront the growing threat of trans-border crime, and its perpetrators operating across the country's borders with its immediate neighbours. The increasing menace posed by trans-border criminals on Nigeria's economic development and national security, and the desire to protect its borders from banned foreign goods, informed the military government of General Muhammadu Buhari to take a decisive unilateral action to close its border with its immediate neighbours in February 1984, without consulting them.<sup>51</sup> However, it is imperative to

note that the Buhari military regime had toppled the civilian administration of President Shehu Shagari (1979-1984), whose austerity measures failed to address the declining state of the Nigerian economy. The official inflation rate of the country in 1983 was 23.2 per cent and rose to 39.6 per cent in 1984.<sup>52</sup> Furthermore, the Shagari civilian administration was notorious for parading recklessness and corrupt public servants whose actions and inactions contributed to the decline of Nigeria's economy, worsened by the glut of crude oil in the international market, which was the major source of externally generated revenue for the country.<sup>53</sup>

However, despite the poor condition of the Nigerian economy, in the early 1980s, the activities of trans-border criminals, especially smugglers and currency counterfeiters, exacerbated the deteriorating state of the country's economy.<sup>54</sup> Owing to these developments, unemployment soared across the country, as factories were forced to reduce the number of their labour force because of the proliferation of imported goods in the market, competing with locally made goods. Therefore, it is noteworthy to conclude that General Muhammadu Buhari-led military regime, decision to close Nigeria's border with its immediate neighbours in 1984 was to confront and halt the effect trans-border crime was having on the country's economy.<sup>55</sup> These developments partly contributed to the decision of the Buhari-led military government to implement the close border policy as a deterrent to its immediate neighbours to act decisively to curb the illicit enterprise from their side of the borders with Nigeria.

The border closure policy of the Muhammadu Buhari regime halted the movement of persons and goods within and around the border areas between Nigeria and the Republics of Benin, Niger, and Chad, as well as Cameroon.<sup>56</sup> Similarly, the inability of Nigeria's immediate neighbours, especially the Republic of Benin, whose economy was dependent on the importation of foreign goods, to curb the illicit enterprise on their side of the border with Nigeria galvanised the decision of the military government to close its border with its proximate neighbours.<sup>57</sup>

The decision of the Buhari-led military government to close the country's border with its proximate neighbours received massive condemnation from Nigeria's immediate neighbours, in particular, and member countries of the Economic Community of West African States (ECOWAS), in general, of which Nigeria is a member.<sup>58</sup> Both its immediate neighbours and ECOWAS member countries argued that the unilateral decision of the Nigerian government to close its borders was a violation of the ECOWAS Protocol on Free Movement of Persons and goods across the sub-region, in which Nigeria is a signatory.<sup>59</sup> It is worth noting that the protocol allows citizens of ECOWAS and those engaged in businesses across the sub-region to move through the respective borders of West Africa. This, however, was disrupted between Nigeria and its immediate neighbours due to its border closure policy reached in February 1984. Several efforts were made by the governments of the affected countries to persuade the Nigerian government to reopen its borders, and treaties were signed in the process.<sup>60</sup> However, the borders were not opened until April 1986 by the military government of General Ibrahim Babangida, who overthrew the Buhari military regime in August 1985.

Another military government that tackled the threat of trans-border crime on Nigeria, and Nigerians, and by extension, the country's immediate neighbours was the military government of General Ibrahim Babangida. General Babangida employed diplomatic and consultative approaches

in contending the threat of trans-border crime in Nigeria's borderlands with its immediate neighbours, unlike his predecessor (General Buhari), whose approach was militaristic.<sup>61</sup> One of the approaches was the signing of a cross-border cooperation treaty between Nigeria and its proximate neighbours. The treaty outlines various approaches formulated by the government of Nigeria and its immediate neighbours aimed at addressing issues affecting their borders, such as trans-border crime, border disputes and issues on security.<sup>62</sup>

The first in the line of the treaties reached by the two countries was that of 1993. The 1993 treaty laid the foundation for subsequent treaties signed by the leaders of both countries.<sup>63</sup> This is in accordance with the directives of the Minister of the Interior, Federal Republic of Nigeria, and Minister of Interior and Territorial Administration of the Republic of Benin, after the Cotonou meeting reached on November 16, 1992. Nigerian and Beninese experts agreed to convene in Lagos on 27, 28 and 29 January 1993 for a thorough review of security problems that are affecting the two states. Similarly, it is imperative to note that the treaties, according to their preambles, were drafted based on the existing agreement that was reached by the governments of both countries bilaterally and multilaterally. Some of the provisions of the preamble read thus:

- The Republic of Benin and the Republic of Nigeria, hereinafter referred to as Parties;
- Given the need to consolidate the peaceful cooperation and friendly relations between the two Parties at the national and local levels;
- Considering the Economic Cooperation Agreement, the Scientific and Technical Agreement signed by both Parties on 1st February 1979 and which established the Joint Commission of Benin-Nigerian cooperation;
- Considering the Extradition Treaty, the Agreement on Cooperation in Criminal Investigations and Administrative Mutual Assistance Agreement on Customs, Trade and Immigration of 10 December 1984 entered into by the Republic of Benin, the Federal Republic of Nigeria, the Republic of Ghana and the Togolese Republic;
- Taking into account the fact that both Parties are Member States of the Economic Community of West African States (ECOWAS), created May 28, 1975;
- Considering the memorandum of understanding between the two countries on the reopening of the border, signed in August 2003 by the Presidents of both parties in Badagry.<sup>64</sup>

The series of cross-border treaties between the Nigerian government and its Benin counterpart under the military government spanned from 1992 to 1996. In the treaties, the various approaches to tackling trans-border criminals operating in their borderlands were outlined. For instance, the 1993 treaty on cross-border cooperation between Nigeria and the Republic of Benin outlined approaches to trans-border crime through a collaboration between both countries. Articles 5, 10 and 12 focus on trans-border crime challenges between the two countries. Therefore, the treaty recommends measures to be taken by the governments of Nigeria and the Republic of Benin in addressing these challenges across their respective borders.

### **Article 5 on Smuggling and Drug Trafficking**

Experts have noted the increase in smuggling activities and drug trafficking along the borders and recommended the following:

- The cooperation of security officers (Police, Gendarmerie and Customs) along the borders;
- Implementation of a program of exchange of statistical data;
- The periodic exchange of lists of proscribed items to guide the security guard in the fight against smuggling.<sup>65</sup>

### **Article 10: Economic Crimes:**

Experts took note of the rise of economic crimes perpetrated by organised groups and individuals in both countries and in the West African sub-region. They recommend that efforts be made at the highest level, both bilaterally and multilaterally (ECOWAS), to eradicate this scourge. To this extent, they exhorted security forces to intensify their cooperation.<sup>66</sup>

### **Article 12: Illicit Weapons:**

The two (2) parties have deplored the resurgence of illicit arms trafficking in the sub-region. This constitutes a serious threat to the security of our people. They accordingly propose that urgent steps be taken by the competent Authorities of the two (2) countries to stem the scourge.<sup>67</sup>

In 1996, the Nigerian military government of General Sani Abacha signed another cross-border cooperation treaty with the government of Benin. The 1996 treaty canvassed for the creation of a joint council of border cooperation between the two countries. According to the treaty, the joint council of border cooperation is responsible for knowing all the problems beyond the jurisdiction of the Local Joint Border Committees and implements joint tours at all levels every year or as often as needed or other tasks falling under the scope of the maintenance of good relationships and neighbourliness between the two countries.<sup>68</sup> The joint border tour by the leaders of both countries in their respective borderlands was expected to serve several purposes. One of which was to dissuade their nationals from engaging in the illicit enterprise, and educate them on the threat it posed to socio-economic and security well-being, if they engage in it.<sup>69</sup>

One of the approaches initiated by the governments of Nigeria and the Republic of Benin to tackle trans-border crime in their borderlands, shortly after the reopening of the Nigerian side border in 1986, was a joint border tour.<sup>70</sup> The importance of joint border tours as a practicable approach to dissuading the minds of the border communities was outlined in the 1996 cross-border cooperation between Nigeria and the Republic of Benin. It was agreed by officials of both countries that the implementation of joint border tours by the leaders of both countries across their borderlands would enable them to promote cooperation among their border communities that would discouraged the people from engaging in trans-border crime as well as to assist security agencies from both sides of the borders in their fight against smugglers and other illicit crime

within and around their borderlands. In February of 1986, a few months before the re-opening of the Nigeria-Benin border, Nigeria's Minister of Interior, Lieutenant-Colonel Shagaya and his Benin counterpart, Lieutenant-Colonel Edward Zudehoughan, embarked on a five-day joint tour of the Nigeria-Benin border areas.<sup>71</sup> The exercise took them to 22 towns and villages. In the course of the border tour, the then Nigerian Interior Minister appealed to the people in the border area to live peacefully with one another. He stated that the closure of the Nigerian border was not a punitive measure. He added that it was rather in the interest of both countries. Furthermore, he enjoined the communities sharing the border to refrain from activities that led to the border closure, specifically trans-border criminal activities.<sup>72</sup> His Beninese counterpart, similarly, stressed the need for the people in the border areas to live in harmony. Still, on approaches to address border-related issues between Nigeria and the Benin Republic, concerning border tour, the leaders of both countries met at the Seme border to find a lasting solution to the challenges. Speaking at a one-day meeting, the Nigerian Head of State, General Ibrahim Babangida, spoke of:

“Resolution between Nigeria and the Republic of Benin, which would permit no sanctuary in their respective territories to those who had sought to erect artificial barriers between the two countries. And that the security law enforcement officers on both sides had a heavy burden to shoulder to enforce this”.<sup>73</sup>

The then Nigerian Head of State suggested that the leaders of both countries should work towards a workable and satisfactory solution to the recurring misunderstanding in border settlement areas.<sup>74</sup> He further urged an examination of practical measures for translating into reality the goals of the sub-regional organisation – ECOWAS. Similarly, in furtherance of promoting cordial cross-border relations between Nigeria and the Benin Republic, a three-day workshop on the Nigeria-Benin Trans-Border Corporation was held in Abuja in 1989. The governments of both countries agreed on new measures to strengthen cooperation among the inhabitants of the border between the two countries. According to the communique at the workshop, Nigeria's Minister of Internal Affairs, Colonel John Shagaya and his Benin counterpart, Colonel Edward Zudehoughan, agreed on approaches to stamp out drug trafficking, discourage dumping of toxic waste and other anti-social behaviour on the borders of their countries.<sup>75</sup> They equally agreed to check the possible excesses of their respective border guards by setting up a channel for receiving complaints from aggrieved members of the public, who could report erring officials through their Embassies, External Affairs Ministries, Immigration or Customs offices.<sup>76</sup>

Intellectual gathering of experts, professionals, traditional rulers and academicians equally form one of the approaches employed by the military government of General Ibrahim Babangida to find a lasting solution to addressing the menace of trans-border crime in Nigeria's borderlands. One of such intellectual gatherings was organised in 1988 by the National Boundary Commission (NBC), in Badagry, Lagos State, tagged the Nigeria-Benin Cross-Border Workshop.<sup>77</sup> The workshop was meant to serve as a veritable tool in promoting cross-border cooperation between Nigeria and the Republic of Benin in various areas. Among these was to sensitise participants about the ills of trans-border crime to the economic development of both countries.<sup>78</sup> The workshop examined a wide array of topical issues in which leading experts in academia and professional bodies, as well as traditional rulers, from both sides of the border, presented papers. The workshop

examined issues on culture, local administration, border economy, delimitation question and border security and legal issues. The workshop ended with a recommendation on how to improve trans-border relations. The maiden edition has been documented in book form to promote and spread the ideas of the workshop to government officials and policymakers on how best to address border issues between both countries.

As part of approaches to contend with smugglers and cross-border armed robbers operating on the Nigeria-Benin border, the military of the government of General Ibrahim Babangida sanctioned joint border patrol between security personnel of both countries in 1992.<sup>79</sup> The joint border patrol was made up of men and officers of the customs and police forces of the two countries. The agreement barred security personnel from going into any of the countries in uniform but in mufti, to guard against operational conflict.<sup>80</sup> Joint border patrol of the Nigeria-Benin border as a measure to contend with perpetrators of the illicit enterprise was sustained by the military government of General Sani Abacha (1993-1998), and General Abdusalami Abubakar (1998-1999).<sup>81</sup>

### **Review of the Approaches and Impact of Nigeria's Military Government to Curtail Trans-Border Crime in the Nigeria-Benin Border**

The desire to halt the menace of trans-border crime in its borderlands with its proximate neighbours, especially the Nigeria-Benin border, informed the various approaches undertaken by the military government of Nigeria from 1984 to 1999 were examined above. However, what is more imperative is to what extent these approaches have been able to curtail the illicit enterprise on the Nigeria-Benin border. The 1986 border closure hindered movement across the Nigeria-Benin border; it led to the presence of the military at the borders to complement the efforts of other security agencies saddled with the responsibility of policing the border. Oral sources collated from the Nigeria-Benin border revealed that trans-border crime reduced drastically during the period of closure compared to the period of open border.<sup>82</sup> Owing to the militarisation of Nigeria's borderlands with its immediate neighbours, perpetrators of trans-border crime completely deserted the borderlands; however, a few tried to exploit alternative routes, particularly remote, porous border areas, inaccessible and difficult to police. However, the condemnation that accompanied the border closure by the Nigerian military government from within and outside the country attests to the fact that it was an unpopular measure, although it reduced the rate of the illicit enterprise in the borderlands.<sup>83</sup> The border closure negatively affected the socio-economic and political well-being of the border communities in the Nigeria-Benin border.

The other approaches examined, such as the cross-border cooperation treaty, border tour and joint border patrol, to a large extent contributed to the threat posed by trans-border criminals in the Nigeria-Benin border. However, the challenges facing these approaches are poor implementation by the governments of both countries. For instance, the various provisions contained in the cross-border cooperation treaties signed by the leaders of both countries have not been adequately or effectively implemented by the latter. Similarly, the border tour takes place occasionally, when there are issues in the borderlands. It must be a regular activity to sensitise the people in the borderlands, as well as the impact of trans-border crime on national development.

Also, the governments of both countries must equip and provide the necessary tools to security agencies engaged in joint border patrol to function maximally.

## **Conclusion**

This paper has examined the various approaches embarked upon by the military government of Nigeria to tackle the threat of trans-border crime in the Nigeria-Benin border. Some of the approaches had been unilateral with reference to the border closure, while others are collaborative. This notwithstanding, the impact of the approaches has been modest in curtailing criminals engaged in the illicit enterprise of trans-border crime in the Nigeria-Benin border. The article traced the evolution of the illicit enterprise to the colonial era, influenced by the contradicting economic policies of the British and French colonial administrators to exploit their respective colonies to their advantage. Likewise, also, the paper reveals that trans-border crime progressed from the colonial to the post-colonial period, and was influenced by other factors discussed in the paper. Similarly, the paper sheds light on the partitioning of the Nigeria-Benin border in the late nineteenth and early twentieth centuries and the events that characterised the period. The article concludes that trans-border crime has been a major threat to Nigeria's socio-economic development as well as national security, which has prompted successive military governments to take drastic actions, despite the criticism their actions have generated from various quarters. This notwithstanding, the paper recommends that both countries should ensure that the approaches jointly agreed to curb the menace of trans-border crime on the Nigeria-Benin border should be implemented to the full.

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## **Biodata**

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