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Transforming Pacifists into Warmongers? Separatist Movement, State Repression, and the Politics of Framing Terrorism in Nigeria: Evidence from IPOB and Yoruba Nation's Freedom Frontiers

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ABSTRACT

While the post-9/11 event has animated how state actors frame terrorism, contemporary studies have failed to address the politics inherent in proscribing, repressing, and labeling separatist movements as terrorists. This paper explores the politics of framing terrorism using the contemporary self-determination struggles advanced by the Indigenous People of Biafra (IPOB) and the Yoruba Nation's freedom frontiers. The study proposes a United Nations-coordinated global framework for regulating and evaluating states' activities in identifying specific groups as terrorists. Taking such a stance would prevent aggrieved agitators from being persecuted by the state in the name of terror.

KEYWORDS

Separatist movement; self-determination; state repression; IPOB; terrorism; Biafra; Yoruba nation; Nigeria; Proscription regime

Introduction

We live in a country where those who demand for equal rights and freedom to end the wave of injustice and marginalisation are hurriedly declared terrorists, while real terrorists who invade communities and kill hundreds of innocent people are pampered and given government protection (Guardian Newspaper, 2021).

Outlawing self-determination advocates or tag them as terrorists or as 'enemies of the state'. For, doing so would not only be counter-productive, it would amount to dissipating energy on a mere scratch while leaving leprosy to fester (Vanguard Newspaper, 2021).

There have been threats to Nigeria's socio-political unity, especially in the country's southern region, which is home to the Biafran region, which was involved in a bloody separatist war with Nigeria between 1967 and 1970 (Lewis 2022). The aftermath of the Nigeria-Biafra Civil War has

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witnessed the resurgence of the new separatist movement aimed at promoting the self-determination of the Biafra state. In early 2000, a new separatist emerged, a nonviolent movement for the emancipation of the Biafra nation. The birth of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) was led by Ralph Uwazuruike, a legal practitioner. At the same time, the clashes with the MASSOB by the Nigerian security forces and his arrest doused the renewal of agitation for independence. The demise of MASSOB prompted the emergence of the Indigenous People of Biafra (IPOB), founded by Nnamdi Kanu in 2012, a London-based Nigeria-British citizen. Such a trend has been dictated by civil resistance, online propaganda, local and diaspora mobilization, protests, and sit-at-home rituals enforced by IPOB (Oyewole, 2019). Although, IPOB was proscribed and tagged as a terrorist organization by the Nigerian state, such proscription has led to extra-judicial killings of its members by the Nigerian security forces. The military engagement under the pretense of counter-terrorism operations has resulted in the destruction and killings of innocent citizens who believe in the principle of self-determination (UNHR, 2019). Thus, the proscription of IPOB has reinforced its radicalization, which has become a new security challenge in Nigeria.

As a result of the lack of a comprehensive and effective response from the Nigerian government to address grievances and dissatisfactions expressed by some ethnic groups, the separatist movement has continued to spread across the country (Smith, 2014). Many groups are deeply rooted in memories of injustices and marginalization. Due to a lack of capacity to address the various genuine concerns of these diverse groups about economic and political security, the ever-growing agitation for secession has been growing, particularly in the southern region, which is putting the Nigerian state in a precarious position (Adibe, 2017). As the secession movement gains momentum, the government faces a threat, especially regarding territorial control and maintaining law and order (Lewis, 2022).

Moreover, separatist sentiments in southwest Nigeria have also been fueled by multiple security challenges such as kidnapping for ransom, murder of innocents, and jihadist terrorism (Ojo, 2020). The Yoruba nationalism in southwest Nigeria has been echoed due to the government's failure to curb everyday security threats (Ojo, 2022). In such instances, the state security forces and secessionists engage in confrontations. Although the military attempts to suppress the agitation for a Yoruba nation, people are continually being mobilized in their homeland and diaspora to accomplish its goal of the actualization of a separate Yoruba nation state. Moreover, the emergence of the Yoruba separatist movement in southwestern Nigeria and the attempted linkage of its frontiers with terrorism raises concerns about the politics of framing terrorism in self-determination struggles.

Therefore, this paper examines the state repression and politics of framing terrorism with references to separatist struggles championed by the Indigenous People of Biafra (IPOB) and the Yoruba nation's separatist movements in the south-eastern and south-western geopolitical zones of Nigeria. The paper addresses the following questions: to what extent does state repression quell Neo-Biafra and the Yoruba nation's agitation for secession? What are the implications of state's repression on the Neo-Biafra and the Yoruba nation's separatist movements? The paper attempts to respond to these salient questions. The paper adopted a qualitative approach using secondary sources of data. The paper argues that despite repressive actions by the state against IPOB and the Yoruba nation, agitation for secession continues to grow in the south-east and south-west regions of Nigeria, taking into account the post-repressive environments that encourage the domestic and diasporic mobilization of support for secession. Moreover, the designation of IPOB as a terrorist organization has further reinforced its radicalization, drawing attention to the formation of its armed wing, everyday security threats in the south-east region. This demonstrates the ineffective logic of the proscription and repressive regimes of the Nigerian state against the separatist movements in the two regions.

Although, this paper is not aimed at determining how terrorism should be framed. Instead, it challenges the existing individualized framework in framing terrorism by demonstrating that leaving what terrorism is and what terrorism is not solely in the hands of the state's political actors hinders the prospects of peace, ethnic minorities' agitations for social, economic, and political justice and equalities within the state, given their interconnectivity with fundamental human rights. When the state becomes the sole framer of what terrorism should connote, such an opportunity provides an enabling environment to subjugate the agitation of minority ethnic groups that may experience injustice and marginalization in a political union characterized by democratic tenets, by tagging them as terrorist organizations. In this context, counter-terrorism operations and the use of force are justifiably adopted as a response to the self-determination struggle, leaving little or no room for political dialogue. Therefore, the absence of a UN definition of what terrorism is all about is an influential point in this paper, which in turn empowers decentralized framing systems fostering a variety of proscription regimes, leaving individual states to define and apply terrorist phenomena within their national jurisdictions (Scheinin, 2005).

Furthermore, the paper raises two major concerns. The first is the uncoordinated and individualized state's unilateral approach to outlawing self-determination movements and framing them as terrorist organizations. The second issue is the ambiguity and politicization of

terrorism, which has the potential to exacerbate existing tensions. Based on these elements, it is imperative to protect persecuted people, dissenters, and minorities if no democratic platforms exist to promote their struggles. In the absence of international legal protection for persecuted people, these groups are even more vulnerable, especially if they are labeled terrorist organizations. Rather than providing a haven for the victimized, the UN has indirectly strengthened such persecution by upholding state sovereignty to define who terrorists are without regard to any global standards. The UN's attempt to enforce state sovereignty exacerbates the conflict between separatists who feel unfairly punished by a system that offers no protection to separatists. Given this principle, many countries have experienced widespread internal conflict, a problem that could have been mitigated through political dialogue. As a consequence of the dearth of a redress platform, defending themselves against state repression has become increasingly violent. The recent wave of anti-terrorism legislation and proscription regimes has exacerbated the process by failing to distinguish between terrorism, self-determination, and the democratic resistance struggle (Muller, 2008). It is also worth noting that proscription is both counterproductive and an appealing recruitment tool for violent extremists (Jarvis & Legrand, 2018).

Thus, the use of counter-terrorism operations against the self-determination frontiers has implications for transforming peaceful agitation for self-determination into a resurgence of new security threats. This paper suggests preventing the application of terrorism and counterterrorism against separatist movements that have been peaceful in their struggle. Thus, for an act of terror to be defined, a global standard must be enforced. In light of this, it becomes crucial to establish authority within the scope of international law to assess the way specific groups are framed, defined, and designated as terrorist organizations by states.

Although, such an approach strips the state of the sole power to determine terror, terrorist, and terrorism. However, by doing so, accountability is ensured, particularly for minorities who are concerned about political, cultural, and economic security. In addition, it ensures that groups seeking self-determination due to injustices are not persecuted unjustly by the state due to their political orientation or beliefs. Moreover, the rationale behind the UN's global coordination of the application of terrorism is situated within a context of paradoxes that may allow an indicted terrorist organization to be treated as a non-terrorist group elsewhere, as evident in the case of the Indigenous People of Biafra (IPOB), for which powerful states such as the United States and the United Kingdom disagreed with Nigerian anti-terrorism legislation that was used in proscribing IPOB¹. In addition, the

Beninese republic rejected the Nigerian state's attempt to label the Yoruba nation's frontier as a terrorist (Sahara Reporters, 2021b). The outcome of such events is a morass of anti-terror laws.

Separatist Movements and Terrorism – A Literature Review

Separatism is the desire to break away from the existing parent state to achieve independence. The concept involves claiming a specific geographical territory. There are numerous examples of separatist groups worldwide, including Basque separatists in Spain, Tamil separatists in Sri Lanka, Tuareg separatists in Mali and Niger, Kurdish separatists in Iran, Turkey, Syria, and Iraq, and Quebecois separatists in Canada, to mention a few. In contrast, terrorism is defined as a form of violence that targets civilians to achieve a political or ideological objective (Jones, 2012). It is intended to create fear among civilians through violence (Gregory et al., 2011). It has been contested, however, whether terrorist acts are solely committed by non-state actors (English, 2019). Terrorism may also be seen as a weapon the state employs (Cohan, 2002).

On November 20, 2001, former President of the United States, George W. Bush set a benchmark for a global war on terror. According to him, “Either you are with us, or you are with the terrorists.” “From this day forward, any nation that continues to harbour or support terrorism will be regarded by the United States as a hostile regime” (Chesterman, 2003). This declaration has a profound impact on state counterterrorism strategies. However, the lack of global coordination and lack of global agreement on terrorism also poses a threat to armed struggles and dissident groups since each state has the power to define who the terrorists are (Muller, 2008). The concern with President Bush's global appeal for the war on terror and counter-terrorism strategies employed by various states impacted the global discourse regarding terrorism. For instance, the right to self-determination under international law was not sufficiently spelt out. Additionally, how anti-terror laws are defined and applied to resistant groups who consider violence their last resort are addressed under the national laws, while state-sponsored terrorism remains an illusion under the same national legislation. This will have a monumental impact on the future war against terrorism (Muller, 2008). It can therefore be established that states have control over the phenomenon of terrorism. States possess legal and political responsibility to determine whether a group qualifies as a terrorist organization. There are, however, instances in which what may be considered an act of terrorism within a specific environmental context might be regarded as an act of freedom fighters in another. As argued by Eqbal Ahmad in his interview:

The terrorist of yesterday is the hero of today, and the hero of yesterday becomes the terrorist of today. In 1985, President Ronald Reagan received a group of ferocious-looking, turban-wearing men who looked like they came from another century. After receiving them in the White House, Reagan spoke to the press, referring to his foreign guests as freedom fighters. These were the Afghan mujahideen. They were at the time, guns in hand, battling the Evil Empire. For Reagan, they were the moral equivalent of our founding fathers (Ahmad, 2011, p. 12–13).

The case of IPOB, in which the United Kingdom renounced unilaterally designating IPOB as a terrorist organization on its territory (Erezi, 2022), highlights the complexities of the global definitional problem of terrorism. For example, the US claims that before IPOB can be designated as a terrorist organization, it must meet the criteria outlined in “Section 219 of the Immigration and Nationality Act.” One relevant criterion is whether a Foreign Terrorist Organization (FTO) “endangers the security of U.S. nationals or the national security (national defense, foreign relations, or economic interests) of the United States.” In light of such a standard, IPOB does not fit within the officially established parameters (Council of Foreign Relations, 2021).

Therefore, a great deal of complexity is involved in the discussion of terrorism. It is pertinent to recognize that not all separatist movements employ terrorism in achieving their aims, and not all terrorists are separatists. While several separatist groups are engrained in nationalism, mobilizing support to promote their goals (Ryabinin, 2017), some separatist movements employ violence (and occasionally terrorism) to achieve their objectives.

The use of acts of terrorism by the separatist movement is not a new phenomenon. Terrorism was adopted in the first century by two Jewish groups in Judaea which wanted to mobilize the local population against the Roman occupiers. However, the period between (the 1960s and 1970s) was marked by colonial and neo-colonial epochs which witnessed the use of terrorism in separatist struggles. These periods recorded some successes in employing violence by ethno-nationalist/separatist groups (Lefebvre, 2003). The activities of organizations such as the Basque Fatherland and Liberty (ETA), the Quebec Liberation Front (FLQ), and the Irish Republican Army (IRA) have been tagged with terrorism in the past. Although, separatist groups often employ terrorism to intimidate the government in power to achieve their aims. However, not all separatist movements adopted terrorism in their liberation struggles. The secessions of Hungary from Austria in 1867, Singapore from Malaysia on 9 August 1965, and Norway from Sweden in 1905 are some of the separatist movements that adopted peaceful strategies in achieving independence from their parent states. Despite these living examples where separatism followed a peaceful approach in

promoting their liberation movement, the government often used the tactic of labeling secessionists as terrorists toward indivisibility and indissoluble political union of the state (Pokalova, 2010). Though, the state possesses a monopoly of power to determine whose activities can be classified as terrorism. However, the politicization of framing terrorism has continued to transform peaceful movements into armed struggles.

Framing separatism as a terroristic struggle enables the governments to deal with the movement by employing a forceful or military approach to suppressing their activities. Circumventing the real issues that elicited ethnic agitation for secession has often been the principal target of the state. In such a direction, separatist groups are framed as terrorist organizations challenging the peace and security of the state. Such an approach has been used widely by the government in power (examples include Cameroon, Nigeria, Russia, Philippines), particularly since the 9/11 event that led to overwhelming casualties of civilians and destructions orchestrated by al-Qaeda in the United States. Since then, locally embedded self-determination movements have been treated as part of the struggle against global terrorism across many countries. Adopting such a tactic is part of the strategies to secure international legitimacy in using a counter-terrorism approach against the separatist movement. Dwelling on such an opportunistic environment in suppressing self-determination movements using counter-terrorism tactics implies ignoring adherence to international pressure to settle internal conflicts through a political process that should be employed in dealing with separatism. Although the government may accomplish a short-term goal of repressing a separatist movement by labeling it a counter-terrorism operation, using such a mechanism provides a fundamental challenge toward democratic governance (Pokalova, 2010) and further reinforces the radicalization of separatist groups.

Terrorism Framing

Both state and international organizations provide frameworks for constructing and enacting criminal laws that depict who is a terrorist and which organization has a resemblance outlook of a terror group. Notably, media interpretation further reinforces societal acceptance and government policy (Englund et al., 2017). Entman suggests framing as “some aspects of a perceived reality and making them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described” (Entman, 2010, p. 51). This definition further provides some components considered sub-frame elements. These include moral judgment, causation, issue definition, and remedy suggestions.

The framing of terrorism emerged from diverse foundational sources. Terrorist organizations also support such an interpretative mapping through their actions. The usage of terrorism by the government, international media, and diplomatic reports has been recurrent. With the increasing use of the term in public violence, protest, anti-regime protest, civil protest, and separatist movements around the world, such undue interpretation without a global standard for its constructivism has made it difficult in counter-terrorism policy championed by the state and international organizations (Englund et al., 2017). In criminological interpretation, terrorism is considered an 'objective phenomenon' that must be delineated and mapped. Scholars with critical insights in the field have observed the impulsive positions of orthodox criminologists. The over-reliance on a normative definition of terrorism put in place by prominent institutions which have been reproduced across scholarly space engendered authoritarianism in the field. The framing of terrorism must accommodate substantial, well-engaged, constructive, and intersectional elements empirically and socially verifiable. Cultural discourses and media narratives have promoted a hegemonic framework in framing terrorism (Campbell & Quinn, 2021).

The incessant terrorist attacks have aroused concerns of academic scholars regarding labeling terrorism and the acceptability of public authorities in defining the phenomenon (Coady, 2004). Framing terrorism refers to a selective framework designed by the political class to define terror, terrorism, and terrorist. This design is often used to suit the interpretation of public authorities, state, and political class. It involves strategic decisions to determine and promote which act should constitute terrorism with its global appeal. It is important to note that the framers may be biased in selecting some requirements perceived as components of terrorism. More often, society may follow such biased decisions that highlight the judgements of political leaders and mass media (Canel & Gurrionero, 2016). Therefore, framing terrorism is at the mercy of the political leaders and media promotion. Such biases have been used to demonize political violence, ethnic-nationalists, and separatist movement as acts of terror. Thus, the authoritarian determinism and politics inherent in framing terrorism leave the terrorism scholars in perpetual subjugation to the requirements upheld by the political class and policymakers across the world. Despite the hegemonic tendency that has been engrained in the politicization of framing terrorism, modern scholarship has begun to challenge the conventional interpretation of terrorism due to its politicization (Shinar, 2019).

Following the end of the French Revolution, the word terror has gained monumental attention across the world. The constant use of the phenomenon against citizens has been recurring since Joseph Stalin's adoption of

the term against the dissenters within the Soviet Union (Hoffmann, 2000). Such usages has also been observed against separatist movements such as Sri Lanka's Liberation Tigers of Tamil Eelam, the Irish Republican Army, and Basque separatists (Schmid et al., 2001). It has been claimed that many of the branded terrorist groups choose to create fear in public space. However, Revolutionary leftists such as the Red Brigades in Italy and Tupamaros in Uruguay were not aimed at inculcating fear in the public sphere but to seek the support of the citizens against their oppressors (Hewitt, 2003).

Rapoports provides four chronological successions of primordial waves of terrorism. These are situated within the compendium of 'Anarchist, anti-colonial, New Left and the Religious waves'. These movements were reinforced by various struggles that lasted for about a generation. He considered the 1890s emergence of the Russian anarchistic movement as the first wave of terror. This era was depicted as the "Golden Age of Assassination". The period marks the assassination of political leaders and ministers by adversaries. The Russian anarchist Terrorist Brigade sited their headquarters in Switzerland, sourced their funds from America and Japan, imported ammunitions from Armenia, and carried out attacks from Finland. The second wave which connotes the anti-colonial movement between the periods of 1920 and 1930 witnessed the creating new states by rebel groups. Colonial states were confronted with overwhelming attacks by the anti-colonial campaigns, orchestrated through a resemblance of guerrilla attacks – hit-and-run tactics. These movements were observed in places such as Ghana, Ceylon, Morocco, Burma, Tunisia, the Philippines, and Pakistan (Rapoport, 2006).

As the era of colonialism came to an end through the global ascendancy of the United States, the third wave emerged. This period witnessed the emergence of the 'New Left' that the Vietnam War triggered. Western allies arose, such as the West German Red Army Faction, the American Weatherman, the French Action Directe, the Japanese Red Army, and the Italian Red Brigades. These Western groups used violence in their activities, considered themselves as "vanguards for the Third World masses". The period witnessed the increasing tide in the assassination of prominent individuals and international kidnapping. About 951 hostages and 409 international kidnappings were recorded between 1968–1982. The fourth wave symbolizes the rise of religious terrorism and highlights religious dogmatism's adoption in terrorist events. However, the rationale was to promote and establish secular states in some exceptional cases, such as the Irish, Canadian, Macedonian, Armenian, Palestinian, and Israeli struggles. Now, the Islamic jihadist terrorist group have taken center stage in the fourth wave. While the United States has been the target of such a contemporary

jihadist movement, considered the perceived enemy of the Islamic revolution (Rapoport, 2006).

In a study conducted by Powell, the terrorism-related attacks carried out in the United States, particularly from October 2001 to January 2010, argues that coverage of such attacks by the American media outlets centered the problem on the Islamic religion (Powell 2011). He further presents five major significant narratives when reporting terrorism-related attacks, including identification of terrorism suspect as 'al-Qaeda, Muslim, or terrorist'. Powell suggests that Muslim terrorists often dominate media framing of terrorism with international linkages. However, homegrown terrorists who were U.S. citizens without global connections are usually considered within the context of isolationism. When terrorists are not U.S. citizens, such a media coverage often frames such an event as having an international connection with other larger terrorist organizations abroad, a declaration of "war on American by Islam" and as such, the "future threat from Islam is enhanced". However, if such an attacker is a citizen of the U.S., the event is investigated and framed as an "isolated incident" without "future threat" (Powell, 2011). In this context, media influences how terrorism is framed by the political class (Miller, 1982).

The 9/11 attacks have contributed immensely to the strategies used in framing terrorism and terrorist acts. Al-Qaeda's involvement in the 9/11 event attracted popular condemnation across the world. The event brought a new dimension to the framing of terrorism and counter-terrorism lucidities. Since the 9/11 attacks, the global war on terror has been at the epicenter of international media. A powerful ideological framework constructed around this mantra has achieved uncontested global dominance thereby providing an enabling environment for the invasion of Iraq. Rather than conveying the Bush administration's policies, the US media was instrumental in naturalizing and normalizing the global acceptance of framing (Reese & Lewis, 2009).

As a result of this nomenclature coupled with socio-cultural and political connotations of terrorism, scholars worldwide are beginning to pay attention to how it is framed in the media and by political actors (Altheide, 2013). Previous research has paid attention to how terrorist activities are assessed and presented by the media, particularly along regional lines (Norris et al., 2004). Scholarly attention has been concerned with non-universality in defining and framing terrorist activities. A terrorist attack in a country can be classified or framed as a different phenomenon in another country (Medvedeva & Hinnant, 2011). The logic of framing terrorism in the aftermath of the 9/11 event represents a more liberal approach, considered a borderless threat that negatively impacts the international security and peace of the United Nations member states (Rostow, 2001).

The literature on terrorism is therefore beclouded with terrorism perpetrated by nonstate actors. A few scholarly works that highlight state-sponsored terrorism have dwelled mostly on authoritarian regimes. It was assumed that only authoritarian regimes or rogue states use terrorism to promote their agenda. Following the 9/11 attacks and the subsequent invasion of Iraq and Afghanistan, there has been an increasing number of scholars focusing on the impacts of state counter-terrorism, concealed with inhumane treatment, unlawful detention, torture perpetrated at the U.S. Department of Defence facility in Guantánamo Bay, Cuba, Abu Ghraib prison in Iraq, and the rest of CIA detention across the middle east, Europe, and Asia (Blakeley, 2017).

Designating Separatist Movement as Terrorism: Global Perspectives

In 1861, the former President of the United States of America, Abraham Lincoln, championed a struggle against the imperial state. Following such an event, he formed a resistance struggle to secession, knowingly to Lincoln the revolutionary inclination of the secessionist movement. The natural effect of dismemberment of a state through secession is inevitable (Adibe, 2017). However, recognizing the truism of separatism, such a position was echoed in his first inaugural address dated 4 March 1861, Lincoln had envisaged the revolutionary character of secession, according to him:

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it (Johnson, 1980).

A fundamental indication in the above statement is the naturalism of dismemberment of a state which may necessitate a revolutionary act or overthrow of political regime through secession. However, many literatures have failed to acknowledge such revolutionary character of secession.

In 1999, Vladimir Putin, the Russian President, mandated the media houses to tag the Chechen resistance fighters as a terrorist organization rather than a rebel group (Russell, 2007). The Russian state's designation of Chechnya as an Islamic terrorist group signified the danger of generalization in framing terrorism (Snetkov, 2007). Affirming the rights of Chechen ethnic nationality to self-determination, James Hughes suggests that:

For the Chechen secessionists, their right to self-determination and independence from the former USSR, the colonial power, and successor state, the Russian Federation, is paramount and legitimate. The most significant test for international norms on secession arises in cases where there is no agreement between the parties and where the entity aspiring to self-determination falls outside the administrative category recognized under the legal principle. Both factors apply in the case of the

conflict in Chechnya. The collapse of the USSR was treated, in effect, as a case of decolonization. The conservatism was reinforced by the predominance of Western interests in shoring up the Yeltsin regime to prevent instability in Russia, and policy caution in the wake of the Soviet collapse (Hughes, 2013, p. 15).

Rather than providing an avenue for dialogue and resolving conflict, the Russian state propagated Islamic terrorist groups in Chechnya. This offers the opportunity to crush secessionist groups under the costume of counter-terrorism operations (Trenin & Malashenko, 2010). Against the allegation of its link to international jihadist terrorist groups, the Chechnya fighters claimed that:

our perception, Islam, and the traditions of our mountain way of life sanctify a life of freedom to all peoples and safeguard the dignity of a free man ... We did not fight against the Russians or the Christians: We fought for our right to freedom (Swirszcz, 2009, p. 67).

It is crucial to acknowledge that the egregious atrocities committed by Russian security forces during the invasion of Chechnya in 1994 provided an enabling environment for foreign Jihadist volunteers to support the Chechnya fighters. Such foreign supports included training fighters, recruitment of local fighters, and funding (Hughes, 2013). In the same vein, the designation of the Papuan separatist group as a terrorist organization in Indonesia, which has allowed the Indonesian security forces to crack down on the activities of the self-determination group, can be considered in this regard. Claiming the ownership of the Papuan territory, the Indonesian government used the existing counter-terrorism law to detain suspected separatists. Labeling Papuan separatists as terrorists demonstrates the government's failure again in identifying and addressing the root causes of Papua's rebellions (Lamb, 2021).

A similar occurrence was experienced in the Philippines, where the struggle for independence was anchored by the Moro National Liberation Front (MNLF) in Mindanao, the Philippines' Muslim South. The group emerged in 1969, led by Nur Misuari. The separatists aimed to carve out a new state for the Bangsamoro – the Philippines Muslims. As a result of military action during the Marcos regime, many were killed and displaced. To restore peace between the MNLF and the Philippine government, the late Libyan leader, Muammar Gaddafi, intervened in the conflict, resulting in the Tripoli Agreement in 1976. With this agreement, MNLF accepted the offer of autonomy for Muslim Mindanao, thus abandoning the agitation for secession. Despite such an international intervention to embrace peace, the agreement reached a fiasco. A splinter group – Abu Sayyaf Group (ASG), emanated from MNLF and was later labeled a Designated Terrorist Organization by the United States (Seemann, 2016).

While there are old separatist groups that were labeled terrorist organizations around the world, some contemporary examples have been observed in Nigeria and Cameroon, which include the framing of the Indigenous People of Biafra (IPOB), and Anglophone Cameroon separatist groups respectively. The mobilization and adoption of such a strategy to rebrand self-determination frontiers has been a primordial approach often employed to frustrate the agitation of minority groups around the world. A crucial observation from such occurrence emanated from the international mass media's coverage of terrorism and its social interpretation. One fundamental issue to be raised is the question of the objectivity of the mass media in reporting terrorist acts.

In the cases of political conflicts that require local investigation of the event, how do media houses provide a balanced and unbiased reportage in their engagement? As a result of the over-reliance of the media on interpretative methodology enacted by the state, military, security experts, and public officials aimed to promote the political agenda and security policies of the state, the media ended up supporting the political regime in power (Young, 2004). On many occasions, the movement against genocide and ethnic cleansing are tainted with terroristic coloration (Taylor, 2020). The generalization and usage of the term against less terroristic actions have been promoted over the years. States have deployed such mechanisms to quench the ember of related political movements and ethnic-nationalist struggles.

Theoretical Framework – Proscription Regime Thesis

The policy of proscription of groups as “terrorism-related organizations” is one of the U.S.-led global counter-terrorism mechanisms employed in taming the reign of terror. Proscription refers to a legal sanction used to label a particular organization as a terrorist group. However, the criminal courts are typically excluded from the process due to a highly politicized process that results in the organization being labeled as a terrorist group. Following the September 11 terror attack in the U.S., the policy received massive support from the international community, regardless of its implications for human rights, due process, and democratic freedom (Hayes, 2005). Proscription of groups and individuals tagged as terrorists has become a contested policy globally. Proscription can be considered a range of targeted measures often employed nationally and transnationally. It involves using instruments such as freezing monetary assets and prohibiting monetary support for a group. Such a financial blacklisting mechanism represents a form of societal and political disengagement. These measures restrict the concerned groups' access to financial resources, and the use of bank

accounts, and they also restrict their transactional relations with society (Marieke de, 2018).

The groups or organizations proscribed now become terrorists not only when they are internationally condemned by powerful states but also when they are sanctioned through anti-terrorism legislation, usually by national law. Even in cases where the violence unleashed by the proscribed groups is not targeted at proscribed states. In this context, despite the instrumentality of the law in proscribing groups, it is a political strategy that elevates such logicity from being a political exasperation. From political naturalism, the groups morphed into criminal and security enclaves. In this manner, it is not necessary for the proscribing state to substantiate the legal standing against the group before its proscription. However, its deproscription can be challenged in the courts of law. The challenges associated with proofing innocence rest with the proscribed groups. In the end, proscription delegitimizes the groups within the political space in which it operates (Nadarajah, 2009).

The political and selection processes of groups can be influenced by intelligence collected by the secret service, which forms the basis for designating terrorist organizations. In addition, the judiciary is exonerated, and parliaments play a miniature role in proscribing groups or organizations, with the exceptional cases of the European Union (EU), and United Nations (UN) frameworks, where there is an absence of democratic examination. For instance, in the UK and US, intelligence reports are examined by the offices of the Secretary of State and the Home Secretary. These offices are saddled with the responsibility of proscribing groups that are found to possess terrorist characteristics following consultation with the Congress/Parliament. In EU and UN contexts, intelligence reports originate from the member states, EU Council, and UN Security Council, which will reach a consensus on the list. This is done without consultation with the UN General Assembly or EU parliaments (Hayes, 2005).

As the issue of balancing liberty with security remains murky, the debate over counter-terrorism operations against proscribed groups has typically been criticized harshly by academics. This discourse, however, provides context arguing that proscription serves as a preventive mechanism which is geared toward a crime yet to be committed. In addition, it is also suggested that such a preventive approach has not demonstrated the effectiveness of global counterterrorism efforts. However, it was acknowledged that there are rationales behind examining the effectiveness of proscription in mitigating terrorism. It is thought that sanctioning terrorist groups appears to be more symbolic than a substantive counter-terrorism policy decision (Jarvis & Legrand, 2018). Several analysts have considered that the inability to provide an agreed definition of terrorism in the post-9/11 era, coupled

with subcontracting the definition of terrorism to member states without restriction, has global implications. The emergence of this opportunity has created an enabling environment for the transition from the catchphrase “one man’s terrorist is another man’s freedom fighter” to “one state’s terrorist is another state’s freedom fighter” (Muller, 2008). This means the application of anti-terrorism law is subject to individual state law rather than international legal codes. Taking this context into account, many legal commentators argue that proscription is often determined by geopolitics and diplomatic relations rather than by the threat such groups pose to national security (Muller, 2008).

The proscription of groups and organizations has implications, especially for political engagement within national and international democratic spaces. Moreover, enacting a law that prohibits the declaration of support for the proscribed groups or organizations limits democratic freedoms, especially in connection with the freedom of speech, association, and expression (Jarvis & Legrand, 2018). While the judicial process is excluded, these regimes provide no opportunity or enabling environment for a fair hearing between the accusers and the accused. In this context, proscription has consequences not only for the accusers but also for their supporters, social networks, and associates. This laid bare the evidence for a violation of human rights and the inadequacies in providing opportunities for redress and a fair hearing (Hayes, 2005). One fundamental argument here is the implication of proscription in making peace. Proscription often prohibits legitimate third parties from engaging with the proscribed groups or organizations in the pre-negotiation phase (Haspelslagh, 2021). It provides a hostile environment for Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs) working to promote peace between the groups and the states (Toros, 2008).

It may be desirable at times for individuals to rebel, even by violent means. Nevertheless, movements that assert self-determination principles are now ‘routinely criminalized by proscription’ (Muller, 2008). As an alternative to preventing terrorism, proscription regimes were considered foreign policy games (Muller, 2008). The complexity and ambiguity of several definitions of terrorism imply that proscription tactics are generally unable to make a distinction between the two variables – terrorism and nationalist struggle (Cram, 2006). This has implications for peacebuilding (Haspelslagh, 2021), conflict resolution (Haspelslagh, 2021), and resistance struggle (Muller, 2008). A recent study on the Indigenous People of Biafra (IPOB) demonstrates how proscription causes neo-Biafra separatists to resurge in armed conflict. Following IPOB’s proscription as a terrorist organization, a counterterrorism strategy was adopted to suppress Biafra’s secessionist agitation. Despite militarized approaches to separatism, such strategies have not succeeded in quelling agitations for secession. Consequently, it

facilitated the radicalization of neo-Biafra separatists, which led to the creation of the Eastern Security Network, IPOB's armed wing (Nwangwu, 2022).

Historical and Contextual Background of Separatism in Nigeria

The echo of separatism in Nigeria emerged as early as Nigeria's 1914 Lugardian Amalgamation, the unification of Nigeria's southern and northern protectorates. The agitation for freedom of association, the exigency of relying on peoples' wishes to determine the political association they want to keep, the artificiality of Nigerian configuration, and the right to self-determination have been advanced in Nigeria's political expedition, especially between 1953 and 1954. In his autobiography, the late Sardauna of Sokoto, Ahmadu Bello highlighted the mistake of the 1914 amalgamation of Nigeria, noting that there were cacophonies of secession by the northern elites (Tamuno, 1970). In his autobiography, Ahmadu Bello emphasizes that:

Lord Lugard and his Amalgamation were far from popular amongst us at that time. There were agitations in favour of secession; we should set up on our own; we should cease to have anything more to do with the Southern people, we should take our own way (Bello, 1962, p. 133).

Such an utterance from Ahmadu Bello appears to be the source of insecurity in a forceful political conjugal between southern and northern Nigeria, that is, the amalgamation of the northern and southern protectorates by the British colonialists. Although the statement remains a verbal threat and unpopular in a real sense, it beckons on the discordant political journey and 'Us versus Them' syndrome within the Nigerian federation. These problems were attributed to some salient factors involving cultural diversity, heterogeneous ethnic composition, different administrative practices, and incoherent constitutional and political arrangements (Tamuno, 1970). All these problems are associated with federalism, elite clashes, and feeble ideological exemplification. One important factor defined by cultural diversity is the application of various administrative systems employed by the colonialists. In the north, east and west, the British introduced unworkable administrative systems in governing the colonies. Following independence, the unification of trilateral politico-administrative structures that influenced colonial policies became a challenge among the diverse ethnic population. The challenges, therefore, provide the possibility for the emergence of the separatist movement after the attainment of Nigeria's independence (Tamuno, 1970).

Under the political leadership of Yakubu Gowon, Chukwuemeka Odumegwu Ojukwu served as the military Governor of eastern Nigeria.

Although, until 1966, the unity of Nigeria was upheld by Ojukwu, such an indivisible cohesive spirit was showcased in his speech during the installation of Emir of Kano, as Chancellor of University of Nigeria Nsukka, in June 1966. According to him:

For years this country has striven for unity. In this, they have met and passed many hurdles. All the danger points of disintegration have been passed. The common generality of the people of this country has come to regard one another as brothers and sisters. The conscious and unconscious apostles of disunity are not the ordinary men and women of this country. They are the few with vested interests, selfish and inordinate ambition for power and wealth, men who fear losing their positions and privileges, who care more for self than for the nation and the common good. These men have tried to exploit our differences to the detriment of this country when they should be expected to work for the removal of those differences. They have tried to make unhealthy capital of our diversity, when a healthy perception of our diversity could be turned to our national advantage as a source of strength- diversity of culture, of background, of outlook, of experience, of our education, of our upbringings (Enugu, 1966, p. 18).

Despite the commitment of Ojukwu to the unity of Nigeria, the massacres of citizens of Igbo origin between May to September 1966 in the northern part of Nigeria prompted him to depart from his hitherto indivisible philosophy to struggle for the pursuit of independence for the Biafran nation. In the Ahiara Declaration of 1 June 1969, Ojukwu affirmed:

The Federation of Nigeria is today as corrupt, as unprogressive and as oppressive and irreformable as the Ottoman Empire was in Europe over a century ago. And in contrast, the Nigerian Federation in the form it was constituted by the British cannot by any stretch of imagination be considered an African necessity. Yet, we are being forced to sacrifice our very existence as a people to the integrity of that ramshackle creation that has no justification either in history or in the freely expressed wishes of the people (Ojukwu, 1969, p. 18–19).

On 30 May 1967, Ojukwu defended the course for the secession of Biafra from the Nigerian federation. Such a declaration for Biafra resulted in a full-blown Civil War between Nigeria and Biafra nation. The defeat of the Biafran nation in 1970 forced Ojukwu to exile in Cote d'Ivoire (Ojo and Lamidi, 2018). The aftermath of the War witnessed the postwar programme, which was centered on healing the consequences of the War. The ingenuity of Postwar reconciliation and peaceful co-existence advocated by the Nigerian state has promoted the emergence and resurgence of self-determination groups. However, the Postwar plan failed to address transgenerational trauma and injustices, which have prompted the renewed call for independence in southeast Nigeria. As a result, the neo-Biafran separatist movements have championed the struggle for self-determination. Such action has witnessed the resurgence of the ideology for the Biafran nation led by the Indigenous People of Biafra (IPOB) (Figure 1).



Figure 1. IPOB members during a rally. Source: Prnigeria, November 29, 2021.

From Secessionist to Terrorist: The Birth and Proscription of IPOB

In south-eastern Nigeria, the rebirth of the agitation for self-determination struggle was reinforced by the longstanding collective memory of the Nigeria - Biafra Civil War (Lewis, 2022), and economic and political marginalization experienced by the Igbo ethnic group. Such agelong grievances are central to the agitation of the Biafra separatist group championed by IPOB (International Crisis Group, 2015). Additionally, part of the grievances which are alleged to be reflected in political marginalization, are in terms of federal political appointments and capital projects. The grievances were fueled by the emergence of Muhammadu Buhari, who was elected as the President of the Federal Republic of Nigeria in 2015. The lop-sidedness and imbalance in political appointments such as in appointments of federal ministers, heads of parastatals, and heads of federal agencies, observed in the new political administration, considered to mostly be in favor of the country's northern region, prompted the latest uprising for self-determination.

IPOB emerged in 2012 as a new separatist revivalist, advocating for the independence of the Biafran nation. Through its London-based online radio inaugurated by Mazi Nnamdi Kanu, a Nigerian-British citizen based in London, the IPOB campaign for self-determination became a global struggle, with millions of people in Nigeria and the diaspora supporting the activities of Biafra through protest and online propaganda. IPOB took advantage of a collective memory of War, marginalization, and injustices to mobilize local and international support (Kwazema, 2021). The emergence of Nnamdi Kanu ushered in a new wave in the struggle for self-determination. The adoption of information telecommunication technology with online Biafra's radio ignited the popularity of the new movement around

the world. The online broadcast serves as a platform for mobilizing millions of its supporters both at home and in the diaspora. It is important to note that naming the online radio after Biafra symbolizes a nationalistic conjecture.

Commemoratively, Radio Biafra was used to promoting Biafra's agenda during the War between 1967–1970. Likewise, the new online broadcast was made on social media platforms such as Facebook and IPOB's website. Such a platform was instrumentalized to promote the contemporary Biafra secessionist movement (Ugorji 2017). Through social mobilization and protest at home and abroad, Biafra's secession was encouraged by IPOB. Between 2015 and 2017, the Nigerian security forces clashed with IPOB's members, particularly during the protest and social campaign for the independence of Biafra (Home Office, 2020). Such clashes have resulted in the arrest of Nnamdi Kanu and the killing of IPOB members by the Nigerian security forces. However, Kanu was granted bail in 2017 based on some conditions. These conditions include the following:

- i. The IPOB leader must hold no rally
- ii. He was not allowed to grant an interview
- iii. He must not accommodate a gathering of more than ten people
- iv. The IPOB leader must provide three guarantors with the sum of N100 million each
- v. One of the guarantors must be a highly placed elected official such as a senator of Igbo origin
- vi. The second guarantor must be a highly respected Jewish leader because of the Kanu's claimed that he practices Judaism
- vii. The third guarantor must be a highly respected individual who resides and possesses landed properties in Abuja
- viii. The Nigerian passport of the IPOB leader must be deposited.
- ix. The IPOB leader must deposit his British passport with the Court (The Premium Time, 2017).

On September 20, 2017, IPOB was proscribed and designated a terrorist organization by the Federal government under section 21 of the Terrorism Prevention Act (The Sun, 2017). On the 19 of January 2018, its proscription was later upheld by the Federal High Court in Abuja following IPOB's seeking its reversal proscription order (Punch Newspaper, 2017). Following IPOB's proscription, one of the powerful instruments being used by the IPOB is every Monday sit-at-home ritual, a condition that mandates and restricts the movement of all the people in the region. This lockdown strategy reveals how the citizens are compelled to comply with the rules enacted by a non-state actor, against their wishes, which impinges on their right to

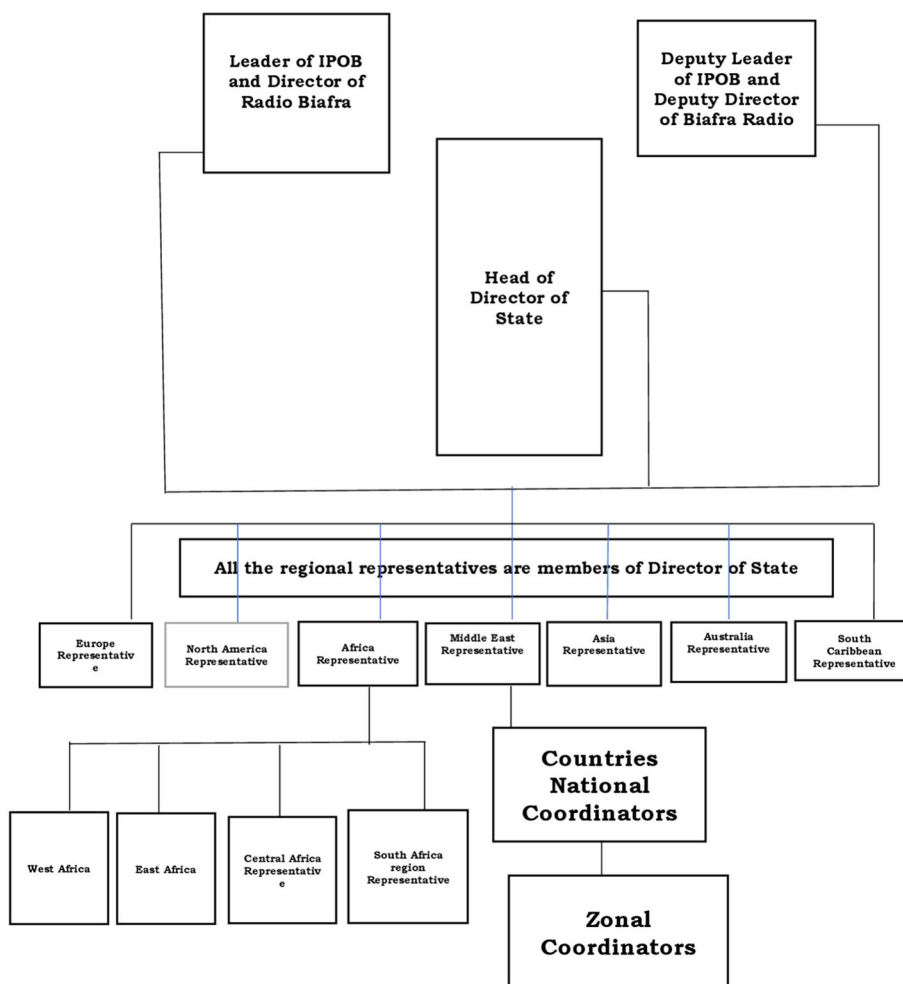


Figure 2. IPOB structural leadership. **Source:** IPOB pamphlet.

free movement. Moreover, such an event shows how the state struggles to assert its legitimacy over contested territory, thereby losing its political relevance, particularly in controlling and managing Nigeria's south-eastern states. On June 18, 2021, IPOB leader Nnamdi Kanu was arrested in Kenya and transported to Nigeria, where he is currently facing trial for alleged treason (Daily Post, 2021a). Although the arrest was considered an extraordinary rendition against international law, such a matter is now being contested in the national and international legal environment (Daily Post, 2021b, c) (Figures 2 and 3).

The Yoruba Nation Separatist Movement

The reverberation of the Yoruba nation's movement dates to the era of late Chief Herbert Ogunde, a philosopher and dramatist who echoed the need



Figure 3. Yoruba Nation's separatist movement. **Source:** Foreign Brief, July 29, 2021.

for Yoruba self-determination in his musical documentation entitled 'Yoruba Ronu', meaning that Yoruba should have a deep thought. He pleaded that Yorubas, who represent one of the dominant ethnic groups in Nigeria, should look back and observe their greatness. However, his message was ignored by the Yoruba people. Another reflection of such calls for liberation was made by the late Chief Obafemi Awolowo, the former Premier of Southwestern Nigeria. He argued that the time is coming when the Yoruba people will advocate for self-liberation from Nigeria's political enslavement (Akinterinwa 2020).

These assertions were some of the few futuristic plans for the Yoruba sovereign nation promoted by prominent Yoruba leaders in southwestern Nigeria, at the time. This shows that the Yoruba nation's self-determination groups have been in existence for many years. Some of the contemporary Yoruba self-determination groups were formed before founding the O'odua People Congress (OPC). Following the bifurcation of OPC into separate groups, the factionalization of OPC in 1997 resulted in the formation of organizations such as the O'odua Liberation Movement (OLM). The splinter groups claimed that OPC lacked a political pathway, was too confrontational, and lacked a clear organizational goal. Recently, some other new groups have emerged, such as the Federation for Yoruba Culture and Consciousness (FYCC), O'odua Republic Front (ORF), O'odua Self-determination Groups (COSEG) (Human Rights Watch, 2003).

Many factors were responsible for the Yoruba self-determination movement in recent times. The invasion of Fulani herders from the north to the middle belt and southern part of Nigeria has metamorphosed into farmers-

herders' conflicts, which entrapped the regions as partakers of spillover effects of insecurity embedded in northern Nigeria. The current situation in Nigeria's political governance reflects the reality that the Yorubas have not only observed that they are being killed in their region by Fulani herds-men without provocation. At the same time, their ancestral lands were being taken forcefully by the herders. Moreover, their women are being kidnapped and raped by the Fulani marauders. The recidivist attacks in the region have taken a departure from 'Yoruba Ronu' (a deep thought that represents a mere philosophical connotation) to 'Yoruba Rori' (strategic thinking). Such an approach has changed the primordial narrative to a self-defense mechanism against the Fulani marauders. Furthermore, the Yoruba separatists have also joined the Unprotected Nations and Peoples Organization (UNPO) to assert their fundamental human rights for self-determination affirmed under international law. Thus, the Yorubas have acknowledged that their developmental pursuit is being backpedaled in a lopsided federal system where powers are concentrated at the center at the detriment of the federating units (Akinterinwa, 2020).

A deadly conflict between farmers and Fulani herders over access to grazing land turned into agitation for the Yoruba nation in the south-west of Nigeria. The death of Dr Fatai Aborode, a renowned politician, was perpetrated by unknown individuals. It was, however, suspected that Fulani herders were responsible for the killings in the host communities. The movement began as a result of such an allegation. A common cause of clashes between farmers and herders is an encroachment on farmlands, which often leads to crop destruction. Although, Sunday Adeyemo popularly known as Sunday Ighoho has been known for his resistance movement against Fulani bandits who have been engaging in heinous killings of local farmers, raping women, and abducting people for ransom in south-western Nigeria (The Nations, 2021). Among the allegations leveled against the Fulani herders are kidnapping for ransom and robbery in host communities. In response to the allegation, the Fulani herders were given a seven-day ultimatum by Sunday Ighoho. This declaration outraged the northern region. Moreover, in response to the seven-day ultimatum, the Fulani herders whose houses had been in the community for generations were burned down by Sunday Ighoho's team. This action was widely condemned in the northern region of Nigeria, as well as by some political leaders in the south-west region. As a result, this act was viewed as inciting ethnic violence and promoting the eviction of Fulani pastoralists without legal authority (BBC, 2021). Against this background, the emergence of Sunday Ighoho redefined the contemporary Yoruba self-determination movement. The movement advocates for the creation of the Yoruba nation



Figure 4. Tagging separatists as terrorists. **Source:** The Punch Newspaper, 2021.

which followed peaceful protests, sensitization, and awareness creation among the Yorubas of southwestern Nigeria (Figure 4).

Freedom Fighters or Terrorism from Below? Separatism, State Repression, and the Politics of Framing Terrorism

Separatism is not considered a disastrous idea, even though states repugnance the dissolution of national unity. Many oppressed minority groups consider it an alternative approach to non-inclusive and oppressive regimes dominated by representatives of other ethnic groups (Hale, 2008). Many separatist movements were triggered by discrimination, cultural differences, political grievances, and economic inequalities. The complexity of disconnecting secession from other types of conflicts and their causes, as well as the focus on states rather than sub-national regions, poses a big challenge to providing a fair and objective analysis (Boyle & Englebert, 2006). The inability to differentiate the struggle for self-determination from other forms of conflict creates an enabling environment for governments to adopt repression rather than negotiation to showcase the supremacy and strength of the state (Toft, 2010). Although, states often face a range of strategic choices in dealing with separatist movements. First, there is the possibility to make concessions, which implies providing more regional power to the sub-national entities or providing an opportunity for a referendum. Second, employing a repressive approach to maintaining the unity of the state. Many states preferred to adopt repression rather than referendum or dialogue with the aim that repression would serve as a deterrent

and prevent further agitation for secession, especially by other groups that may have conceived such an ideology (Walter, 2006). In this context, state repression is associated with the adoption of a militarized approach or an instrument of force, especially by the police, armed forces, or paramilitary forces, to suppress the activities of separatist groups (Boykoff, 2007).

The Nigerian state's repressive nature is linked to its colonial and political experience, which relied on repression to subjugate anti-colonial movements in maintaining order (Mbah & Nwangwu, 2014). This repressive behavior was imported into post-colonial administration and has since become the country's mode of operation for maintaining law and order. The IPOB and Yoruba nation's self-determination frontiers have experienced state repression, which includes invasion, killings, shooting of unarmed protesters, and illegal detention of separatist frontiers, their members, associates, and supporters (Nwankpa, 2021). The pictographic representation in Figure 2 highlights the labeling of the two separatist frontiers as terrorist movements by the Nigerian state. While comparing the activities of real terrorists such as Boko Haram and armed bandits that engaged in kidnapping, killing, bombing, and maiming innocent Nigerians with the separatist groups, the use of military force against the two groups is disproportionate given the level of threats they pose to the Nigerian state. On President Buhari's approach to addressing separatist movements and terrorist groups, an editorial view in the Daily Post argues that:

He treats terrorists from his region with kid gloves and violently descends with reckless abandon on freedom fighters from other parts of the country, particularly the South. Buhari's "selectiveness" in addressing security challenges along ethnic lines shows he is patently not interested in Nigeria's peace and security. Why should real terrorists enjoy presidential immunity at the expense of national security? President Buhari is one-sided and nepotistic in the fight against terror. This regime finds every justification for the criminality of Boko Haram terrorists, herdsmen and bandits but would be quick to clamp down on activists and secession agitators. This is condemnable and inimical to corporate existence (Daily Post, 2021).

One of the logics that legitimatizes state repression is the proscription of separatist groups by national anti-terrorism legislation. While conflicts associated with separatism are often characterized as terrorism by state authorities (Kingsbury, 2021). A similar tactic was adopted in proscribing IPOB as a terrorist group. In 2011, Nigeria's anti-terrorism law was enacted, particularly regarding the activities of the Boko haram insurgency in northern Nigeria. Section 1(1) of Nigeria's Terrorism Prevention Act 2011 and the amendment Act 2013 defines an act of terrorism as:

an act which is deliberately done with malice, aforethought and which: (a) may seriously harm or damage a country or an international organisation (c) involves or causes, as the case may be (i) kidnapping of a person; (ii) destruction to a

government or public facility or private property and likely to endanger human life or result in major economic loss (Egenuka, 2021).

Under Section 2 of the Terrorism Prevention Act, the Attorney General of the Federation, in collaboration with the National Security Adviser and the Inspector General of Police, is empowered to designate terrorist organizations. The Nigerian legal framework for designating terror groups requires the proscribed group to commit terror-related offenses before it can be classified as a terrorist organization. Based on this principle, the group should not be proscribed before it is given the chance to be heard through the courts. In keeping with the legal assumption of innocence, the Court allows the suspected group to defend itself in court². With the current provision of the Terrorism Prevention Act, a group or organization becomes proscribed once the National Security Adviser, the Attorney General of the Federation, or the Inspector General of Police applies to the Court with the approval of a judge. However, under Section 2, the principle of hearing is undermined, and the possibility of abuse of power by the state is further reinforced. The national anti-terrorism law is considered an effective repressive tool in the hand of the Nigerian state to suppress self-determination movements.

Some of the cases of Nigeria's repressive character against separatists manifested in 2017. The Indigenous People of Biafra (IPOB) was proscribed using the existing provisions of the anti-terror law. Unlike Boko Haram, which engages in jihadist terrorism, IPOB separatist movement is based on long-overdue genuine grievances, particularly regarding marginalization and discrimination, they claim to have suffered after the Nigerian Civil War (Nwankpa, 2021). Such a genuine and nonviolent mission was framed as terrorism by the Nigerian state through Terrorism Prevention Act. The proscription and labeling of IPOB, have since generated both local and international condemnation. This is because the activities of IPOB have been peaceful in the past since its inauguration by Nnamdi Kanu.

It is crucial to explain why an informal security outfit was created by the IPOB. The rationale for creating ESN can be considered. First, the human rights abuses and extra-judicial killings of IPOB members by Nigerian security operatives triggered the formation of the armed wing of the IPOB. For instance, in January 2013, fifty dead bodies suspected to be neo-Biafra secessionists were found in the Ezu River in Anambra State (Mamah et al., 2013). According to Amnesty International, there were cases of the shooting of unarmed IPOB members and supporters by the Nigerian military forces, which resulted in the deaths of many people (Amnesty International, 2016b). Moreover, in 2016, during the Biafra Commemoration Day, which marked the 49th anniversary of the Biafra declaration that led to the Nigeria-Biafra Civil War, Nigeria's military shot

several people in various locations, including Onitsha, Nkpor, and Asaba (Amnesty International, 2016a; Amnesty International, 2016b; Mayah, 2016). Amnesty International asserted that Nigerian security operatives had engaged in unlawful arrests, abductions, illegal detentions, harassment, disappearances, and torture of pro-Biafra separatist members and their supporters (Amnesty International, 2018). These human rights abuses often resulted in peace demonstrations, protests, and rallies (Nwangwu et al., 2020). These human rights abuses reached a tipping point when they could not be contained by the IPOB (Iroegbu, 2016).

Second, the invasion and killings of farmers in the Biafran region by the Fulani militants further reinforced the urgent formation of the armed wing of the IPOB. It is believed that such an armed group would be able to confront the excesses of Fulani herdsmen militants who have been terrorizing the farmers in the area. The Fulani herders have been alleged to perpetrate heinous crimes, including indiscriminate killings and raping women, particularly in the remote villages. It is crucial to note that when a state fails to guarantee the security of the lives and properties of its citizens, the emergence of non-state actors is conceivable (Moderan, 2021). On this, the IPOB leader Nnamdi Kanu stressed that:

For years, our mothers have not been able to go to the farms. Our daughters are being raped and cut into pieces. Everybody is aware of what transpired at Nimbo, at Ozokwani, and what's happening right now in Delta, what is happening in Ebonyi State and what's happening in some parts of Abia. We cannot allow it to continue. This present generation of IPOB won't tolerate it; we will rather die than to allow the 'janjaweed' terrorists take over our lands (Sahara Reporters, 2020).

Moreover, the invasion of the IPOB leader's residence by the Nigerian army enabled him to flee the country. It is crucial to note that such an unlawful attack by the Nigerian security forces to kill him raised a mammoth uproar in the country. Tagging IPOB as a terrorist and killings of unarmed IPOB members by Nigerian security operatives has prompted the radicalization of the IPOB members. Such an approach triggered the inauguration of the Eastern Security Network (ESN). An armed wing of the group was saddled with specific responsibilities. The emergence of ESN witnessed another dimension of the struggle for self-determination in the region (Home Office, 2020). After the Nigerian military forces' continuous attack and killing of IPOB members, the IPOB has evolved from nonviolent to an armed group³. As Campbell and Quinn claimed, following the creation of ESN, violent clashes erupted between the Nigerian security forces and ESN in the south-east (Campbell & Quinn, 2021). It has been transformed into a self-defense group by setting up an armed wing whose mission is to fend off Nigerian soldiers and invaders from Biafra land.

Like the strategy used in labeling IPOB as a terrorist movement, there was an attempt to link the Yoruba nation's self-determination movement frontier (Sunday Igboho) with terrorism. In an attempt to employ the Terrorism Prevention Act, a recent report of the Presidential Committee saddled with the responsibility to investigate the two leaders of the separatist movements, the Nigerian state established a financial transaction between Surajo Muhammad (alleged of financing Boko Haram terrorist group) and the Yoruba nation's separatist leader - Sunday Igboho (The Nigerian Tribune, 2021). Nigeria adopted an opportunistic narrative in framing the peaceful movement as a terrorist group. The Nigeria state claimed that:

We must now add to these concerns an emerging threat that presents the same clear and present danger. In the South of Nigeria, East and West, miscreants and criminals masquerading as separationist activists have emerged to wreak havoc, take lives, and commit economic sabotage against fellow Nigerians and the state. These people, in their inclination for devastating violence against fellow citizens, their appetite for the destruction of private property, their disruption of academic activities, commerce, and industry, their propensity for defiling institutions of the state, society, and community, their refusal to engage in debate, or to consider the possibility of dissenting opinions and alternative viewpoints, are no different from Boko Haram and ISWAP. Given space and time, they will take our nation down the same path of destruction (Sahara Reporters, 2021a).

On July 1, 2021, the Nigerian security forces invaded the residence of the Yoruba self-determination group, while Sunday Igboho escaped an assassination attempt orchestrated by the Nigerian state, two of Igboho's aides were killed in the process. The security forces also destroyed his valuable properties. After escaping from state assassination, the forerunner of the Yoruba nation movement was arrested in the Benin republic and was subjected to trial in Cotonou. It is believed that if the Nigerian state lives up to its responsibility in ensuring the security of lives and properties, such a movement might not have surfaced in the first instance (The Guardian, 2021). Although, the philosophy behind the Yoruba nation and neo-Biafra self-determination movements is organically embedded in the nonviolence approach toward achieving their quest. Despite the peaceful movement, the likelihood of the national government adopting violent confrontation against the movement is anticipatable. This is so, given that historically, such movements are often perceived as enemies of the state, resulting in the adoption of terrorism framing in suppressing the separatist movements which could potentially jeopardize the perceived country's unity.

Legalism, Limit of Terror Framing, and the Implication of State Repression

While IPOB was framed as a terrorist organization by Nigeria's state, the regime faced domestic and international challenges. In its appeal to western countries, the Buhari government urged them to recognize IPOB as a terrorist group by asserting that:

We urge those same international partners to take additional steps costing them nothing, by proscribing another group – IPOB – as a terrorist organisation. Their leadership enjoys haven in the West, broadcasting hate speech into Nigeria from London, spending millions lobbying members of the US Congress, and freely using international financial networks to arm agitators on the ground. This must stop (Sahara Reporters, 2022).

However, the United Kingdom rejected the Nigerian position on IPOB as a terrorist organization. This is evidenced by the reluctance to proscribe IPOB's activities in the UK.⁴ A report by Human Rights Watch published in 2019 claims that proscription, attack, and labeling of IPOB as a terrorist organization violate the African Charter on Human and People's Rights (Human Rights Watch, 2003). Furthermore, international observers such as the European Union and the United States considered IPOB's previous activities, which included protesting and sensitizing the population, to have been peaceful before its members were killed and arrested by the Nigerian Army.⁵ A recent call by the UN Human Rights Council's Working Group on Arbitrary Detention to release IPOB's leader from prison due to the extraordinary rendition from Kenya to Nigeria illustrates his illegal abduction by the Nigerian state.⁶

Furthermore, in October 2022, a Court judgment based on the terrorism charges and extra-ordinary rendition of the IPOB leader from Kenya to Nigeria. It was held by the Court of Appeal that the Federal Government broke both local, regional, and international laws by forcefully returning Kanu to Nigeria. This made his terrorism charge inadmissible. The Court affirmed that:

By the illegal abduction and extra-ordinary rendition of the appellant, there was a clear violation, by the respondent (Federal Government) of international treaties, conventions, as well as the African Charter on Human and Peoples Rights... By engaging in utter unlawful and illegal acts and in breach of its own laws in the instant matter, the Federal Government did not come to equity in clean hands and must be called to order. With appalling disregard to local and international laws, the Federal government has lost the right to put the appellant on trial for any offence. Treaties and protocols are meant to be obeyed. No government in the world is permitted to abduct anybody without following the due process of extradition. Nigeria is not an exception ...Nigeria must obey her own law and that of international, so as to avoid anarchy (The Nation, 2022).

Moreover, the Oyo State High Court ruled that the government's repressive actions and the invasion of the Yoruba nation's freedom frontier by

Nigeria's state security forces constitute violations of Sunday Ighoho's human rights. The court awarded N20 billion naira to the Yoruba separatist leader as compensation for the unlawful invasion that occurred on July 1, 2021⁷. The Court affirmed that:

The court retrained the respondent from arresting or harassing the applicant. He has the right to his free movement as contained in Section 35.1 (a)(b) of the 1999 Constitution as amended.

Furthermore, the Nigerian government planned to extradite Yoruba nation freedom frontier, Sunday Igboho to Nigeria using the same strategy that brought Nnamdi Kanu to Nigeria. Despite this, the Republic of Benin foiled such an attempt by adhering to the relevant domestic and international laws. In the wake of a thorough legal investigation, Sunday Igboho was released from the Beninese prison.⁸

It becomes fundamental to note that labeling freedom fighters as terrorists highlight part of the state's strategic mechanisms in demonizing these movements, particularly against public support and acceptability. Perhaps, the framers have an advantage in delegitimizing these movements. However, such an approach has its implications. Kapitan provides a cautionary note regarding the consequences of such delegitimization. According to him, such a strategy circumvents the genuine grievances of the groups, and it can escalate the conflict, particularly between the state security forces and the secessionists (Kapitan, 2003). Even though separatists are branded as terrorist organizations locally, the international community disagrees, thereby considering the Nigerian state's activities as a means of repressing the self-determination struggle. This highlights the farcical nature of framing terrorism inherent in a deficit of global coordination. States' repressive behaviors and terrorism framing against secessionist movements tend to backfire (Fortier, 2021). Repressive events often reinforced local mobilization, garnered momentum to achieve secession (Brucker, 2019), and gained international support following state repression (Fortier, 2021).

Conclusion

What effects do state repression and the "terrorism" designation have on IPOB and the Yoruba nation's self-determination frontiers? Terrorism can be framed and defined in a way that suits the interests of political elites (Druckman & Nelson, 2003). Because of the non-universalistic approach that underpins them, politicians have exploited a great deal of ambiguity in the divergent definitions of terrorism. In the absence of a global agreement on a terrorism definition, states have exploited this vulnerability to classify diverse crimes as terrorism. In a generic sense, such crimes cannot be

included in terror-related activities. As a result, the manipulation of terrorism has been utilized to suppress ethnic-nationalist movements through defensible methods (Pokalova, 2010). When dealing with separatism, states often equate the movement for self-determination with terrorism rather than seeking a political solution. Using such an approach would be much more cost-effective in preserving the state's territorial integrity. However, for a group to be branded a terrorist organization, the act of terror must have been directed toward the civilian population or the state. The IPOB and Yoruba nation separatist movements have promoted self-determination through propaganda, demonstration, protest, sensitization, and self-defense against the Fulani bandits.

This article demonstrates that the proscription of self-determination struggles, and the adoption of counter-terrorism as a repressive instrument in curtailing the activities of the separatists, often reinforce the radicalization of the groups and promote local and international support for the cause. This is evident in the case of IPOB which was subjected to the formation of the armed group following the proscription of the organization by the Nigerian state, and the local and international support received by the Yoruba nations. Although the Yoruba nation's self-determination struggle has not formed an armed wing, the Nigerian state's repressive behavior against its frontier garnered international support and local mobilization for the struggle among the Yoruba race at home and diaspora. Therefore, three fundamental issues emerged in this discourse: the struggle between Nigeria's indissoluble unity and the people's right to self-determination under international law, the adoption and implication of state repression and terrorism framing to combat the nonviolent struggle for self-determination⁹.

Such a strategy to demonize the self-determination movement as terrorists has implications. In such an environment, conflict escalation is likely to occur as evident in south-eastern Nigeria – the Biafra region. Furthermore, it has a significant impact on peacebuilding and negotiations. The case of IPOB and the Yoruba nation's self-determination struggles provide a cursory understanding regarding state instrumentalization of the anti-terror law against the separatist movement. Applying such anti-terror laws to a nonviolent group is detrimental to Civil Society Organizations (CSOs) championing the struggle for self-determination. Therefore, the state should address the grievances rather than the counter-terrorism approach in subjugating the genuine demands of the people. Empowering the state as the sole determinant of terrorist organizations provides an oppressive environment for minority groups asserting their rights to self-determination, resulting from economic, cultural, and political injustices. Such organizations are vulnerable to state political and legal manipulations in labeling them, "terrorists". Thus, it becomes crucial to establish a global regulatory body coordinated by the United Nations.

Even though the States possess the power to declare any group they deem fit as a terrorist, such an international body must be guided by international law with defined norms to determine whether such groups represent terrorist compartments. The body will safeguard the democratic movement from the states' persecution in the name of terror.

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Notes

1. Erezi, UK authorities; EASO, Nigeria
2. Egenuka, Ngozi, Why FG was quick to proscribe IPOB
3. EASO, 2018
4. Erezi, UK authorities
5. EASO, Nigeria
6. Daily Trust, IPOB reacts
7. Sahara Reporter, Breaking: Court orders Buhari
8. The Guardian Nigeria, Yoruba separatist leader
9. EASO

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