

**AN ETHICAL INTERROGATION OF TERRORISM AND COUNTER-  
TERRORISM IN NIGERIA**

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**Abstract**

*The Nigerian state for some years has been engulfed with some terrible acts of terrorism, ranging from repeated cases of state terrorism against Nigerian citizens, particularly against the Igbo people, and the people of the Niger Delta, killings by the Herdsmen whose activities are spread across larger areas of the Nigerian landscape to the Boko Haram terrorist group. The focus of this paper is the Boko Haram group. The goal(s) of the group has been a contested issue as some scholars and commentators are of the view that Boko Haram was created as a political tool while others view Boko Haram as purely a religious group carrying out its religious goals. The later view depicts the claims of the group that they are out to create an Islamic state. More problematic/worrisome is the method employed by the group in its quest to achieve whatever goal it has. This method of killing, bombing, kidnapping, raping and destruction of villages and properties all in the name of fighting for a cause raises some philosophical and moral questions; is it morally right to kill innocent people in a bid to achieve a cause, even a just cause? Can Boko Haram acts of terror be justified? Is it morally right for the state to use immoral and illegal means in tackling the Boko Haram terrorists? This paper clearly sets out to ethically examine terrorism and counter terrorism with particular reference to Boko Haram in Nigeria. In view of this, this research employs the method of analysis in achieving its objectives.*

**Introduction**

Terrorism has become a global phenomenon that is threatening the global space. But beyond the globalization of this menace, is the fact that terrorism primarily is

domestic in nature. Thus, Nigeria as a country has witnessed gruesome instances of terrorist attacks since the last century. Terrorism as a violent act is carried out not by angels or spirits but by human beings with their sense of rationality. This is a fact because the human being by nature is a rational being and as such its everyday acts are viewed from the point of view of desires, choices, wants and reason(s). Against this backdrop, terrorism in Nigeria which is mainly carried out by the Boko Haram group displays a high level of rationality. This can easily be seen in the nature of attacks, the level of preparedness, the reasons given for their attacks and the idea behind terrorism as a concept. Terrorism in Nigeria has led to the death of thousands of citizens and this has brought about the critical scrutiny of terrorism.

On the other hand, much as we frown and criticize the terrorists and their actions, the terrorists most often than none claim to have justifiable reasons for their actions. Hence the saying that ‘one man’s terrorist is another man’s freedom fighter’. Consequently, even in our interrogation of terrorism we are made to consider the possibility of the terrorists having genuine and justifiable reasons for their actions. To this end, terrorism and counter terrorism in Nigeria raises some philosophical cum moral questions. The questions that this paper seeks/attempts to answer are: do the Boko-Haram terrorists have justifiable reasons for their acts? Is terrorism in any guise justifiable? Does terrorism present moral issues? What are the reasons for engaging in terrorism? These questions are very crucial now more than ever because of the enablement provided terrorists by the weapons of mass destruction and the instruments of globalization. Also, they are important because answers to them might help show the terrorists and the world why terrorism must and should be stopped. Hence, the aim of this paper is to expose the moral issues involved in terrorist acts by interrogating terrorism and counter terrorism in Nigeria. We then begin by conceptualizing terrorism.

### **Conceptualizing Terrorism**

Etymologically, the word ‘terrorism’ is derived from the French word *terrorisme* and originally referred specifically to state terrorism as practiced by the French government during the 1793-1794 Reigns of Terror. The French word *terrorisme* in turn derived from the Latin verb *terrere* meaning to frighten. The definition of terrorism has proven controversial due to the difficulty surrounding its conceptualization. This difficulty could easily be seen in the famous saying: “one’s terrorist is another’s freedom fighter.” It is a concept that has been given

different interpretations/definitions by political thinkers, government agencies, international bodies, and legal systems as well as the ordinary man. To buttress the controversial nature of the instant term, Simon identified “no fewer than 212 different definitions of terrorism in use, with 90 of them used by governments and other institutions.<sup>51</sup> The avalanche of definitions is as a result of the different approaches to the study of terrorism

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<sup>51</sup> J.O. Olanrewaju, “Globalization of Terrorism: A Case Study of Boko-Haram in Nigeria,” *International Journal of Politics and Good Governance*, VI(2015), P. 5

Hence, there is no generally accepted definition. However, of the most used and quoted definitions is the one given by Carsten Bockstette, “Terrorism is defined as political violence in an asymmetrical conflict that is designed to induce terror and psychic fear (sometimes indiscriminate) through the violent victimization and destruction of non combatant targets (sometimes iconic symbols). Such acts are meant to send a message from an illicit clandestine organization.”<sup>52</sup> The United States Department of Defense defines terrorism as “the calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate government or societies in the pursuit of goals that are generally political, religious or ideological.”<sup>53</sup> Also, the United Nations in 1992, defined terrorism as “An anxiety-inspiring method or repeated violent action, employed by (semi) clandestine individual, group or state actors, for idiosyncratic, criminal, or political reasons, whereby – in contrast to assassination – the direct targets of violence are not the main targets.”<sup>54</sup>

Similarly, the African Union recognizing the controversial nature of terrorism provides a broad framework of what terrorism connotes. It defines a terrorist act as:

(a) Any act which is a violation of the criminal laws of a state party and which may endanger the life, physical integrity or freedom, or cause serious injury or death to, any person any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to (i) intimidate, put in fear, force, coerce or induce any government, body,

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<sup>52</sup> C. Bockstette, “Jihadist Terrorist Use of Strategic Communication Management Techniques” European Centre for Security Studies, Occasional Paper Series, 20, 2008

<sup>53</sup> K. Ogunboyede, “Terrorism and Democratic Governance in Nigeria”. *International Journal of Innovation and Scientific Research*, Vol. 10 (2014). P. 36

<sup>54</sup> S. Zumve, et al “Terrorism in Contemporary Nigeria: A Latent Function of Official Corruption and State Neglect”. *European Scientific Journal*, Vol. 9(2013). P. 125

institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular standpoint, or act according to certain principle or (ii) disrupt any public service, the delivery of any emergency; or (iii) create general insurrection in a state, (b) any promotion sponsoring, contributing to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organizing, or procurement of any person, with the intent to commit any act referred to in paragraph (a) (i) to (iii).<sup>55</sup>

For Schmid, terrorism is “a method of combat in which the victims serve as the symbolic target. Violent actors are able to produce a chronic state of fear by using violence outside the realms of normative behavior. This produces an audience beyond the immediate victim and results in a change of public attitudes and actions.”<sup>56</sup>

By the above definitions, we can identify certain salient features that are essential to each and every instance of terrorism, which comes in diverse shapes and sizes. In every occurrence of terrorism, there must be some terrifying act, or at least some act that intends to be terrifying. It must be the fear or dread that some very unacceptable consequence will occur unless the person or persons the terrorist is trying to coerce act as demanded. Thus, terrorism is a concept that connotes threat and a tendency to create fear and chaos. Also, terrorism is a concept that is politically, ideologically and religiously charged and an act that influences an audience beyond the immediate victim(s). Elucidating on the distinctive features of terrorism, Hoffman outlines the following points:

1. Terrorism is ineluctably political in aims and motives;
2. Violent, or, equally important, threatens violence;
3. Designated to have far-reaching psychological repercussions beyond the immediate victim or target;
4. Conducted by an organization with an identifiable chain of command or conspiratorial cell structure (whose members wear no uniform or identifying insignia); and

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<sup>55</sup> Olanrewaju, “Terrorism and Democratic Governance in Nigeria,” p. 6

<sup>56</sup> P. Schmid, *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature*, (Amsterdam: North Holland Publishing Company, 1983). p. 12

5. Perpetrated by a sub national group or non-state entry.<sup>57</sup>

Furthermore, in view of the above points it is clear that there are scholars that focus on the violent, political ends, and the fear of terrorism in their analysis. For instance, Neale defines terrorism as a “symbolic act entailing the use or threat of violence and designed to influence political behavior by producing a psychological reaction in the recipient that is also known as terror.”<sup>58</sup> In this definition the symbolic nature/attribute of terrorism is emphasized. In Paust’s perspective, “terrorism is thus viewed as the purposive use of violence or the threat of violence by the precipitator(s) against an instrumental target in order to communicate to a primary target a threat of future violence so as to coerce the primary target into behavior or attitudes through intense fear or anxiety in connection with a demanded power (political) outcome.”<sup>59</sup> In a related definition, Wilkinson opines that,

our main concern is with political terror: that is to say with the use of coercive intimidation by revolutionary movements, regimes or individuals...we have thus identified some of the key characteristics common to all forms of political terror: indiscriminate, unpredictability, arbitrariness, ruthless destructiveness and the implicitly amoral and antinomian nature of a terrorist’s challenge. (...) Political terrorism, properly speaking, is a sustained policy involving the waging of organized terror either on the part of the state, a movement or faction, or by a small group of individuals. Systematic terrorism invariably entails

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<sup>57</sup> B. Hoffman, *Inside Terrorism*, (New York: Columbia Publications, 1998), p. 43

<sup>58</sup> W.D. Neale, “Terror-Oldest Weapon in the Arsenal,” Washington D.C. Army, August (1973), p. 56

<sup>59</sup> U. Sozubir, “Conceptualizing the Definition of Terrorism in Light of the Developments in the fields of Academics, History and Legislation,” <https://www.researchgate.net/publication/338111111> (10/08/2019)

some organizational structure, however, rudimentary  
and some kind of theory or ideology of terror.<sup>60</sup>

From the definitions given by Naele, Paust and Wilkinson, it is apparent that their focus is on political terrorism; that is a type of terrorism that is aimed at achieving certain political goals or objectives. The use of violence, threat of violence, use of fear, are all instrumental weapons towards achieving a political goal(s). In this case, the direct victims of violence are not necessarily the actual target(s). However, there is another aspect of terrorism that is not captured in the above highlighted definitions and that is the religious aspect of terrorism. Unlike political terrorism, religious terrorism is motivated and fueled by religious ideologies, sentiments and goals. It is solely aimed to achieve certain religious goals.

Three other species or types of terrorism have being identified by Jenny Teichman, namely: “state terrorism, or reigns of terror, terrorism which consists solely in the assassination of specifically chosen victims, and modern terrorism, which roughly speaking is usually but not invariably a kind of violent nationalistic rebellion carried out in a variety of ways.”<sup>61</sup> All in all, for the purpose of this study, we shall adopt that terrorism is “the calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate government or societies in the pursuit of goals that are generally political, religious or ideological.”<sup>62</sup>

Connected to the idea of terrorism is the notion of counter-terrorism. It encapsulates “the practice, military tactics, techniques, and strategy that government, military, law enforcement, business, and intelligence agencies use to combat or prevent terrorism.”<sup>63</sup> It simply means that there are different

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<sup>60</sup> P. Wilkinson, *Political Terrorism*, (New York: Wiley, 1978), p. 128

<sup>61</sup> Zumve, “Terrorism in Contemporary Nigeria: A Latent Function of Official Corruption and State Neglect,” p. 12

<sup>62</sup> Ogunboyeda, “Terrorism and Democratic Governance in Nigeria,” p. 36

<sup>63</sup> Counter-terrorism. Available at <https://en.m.wikipedia.org/wiki/counter-terrorism> , 07/01/2020

counter-terrorism strategies: military strategies, intelligence solutions, legal strategies, social welfare solutions, international dimension and even ethical solutions. This paper makes use of the later in studying terrorism.

### **Terrorism in Nigeria**

Terrorism in Nigeria is an enigma of some sort. It is arguably one of, if not the major problem facing the country. Terrorist attacks and activities in Nigeria have led to the death of thousands of people and the destruction of property worth billions of naira. Its effect on the economy and internal peace is alarming to say the least. And the group that has brought this inhuman terror to Nigeria, especially the north is the Boko Haram group.

The exact date of the emergence of the Boko Haram sect is mired in controversy with conflicting dates given by different scholars. Thus, “Boko Haram’s origin is nebulous, but can be faintly back dated to 1995 under one Lawan Abubakar but surfaced prominently in 2002 with the emergence of Mohammed Yusuf who was killed extra judicially by the police in 2009.”<sup>64</sup> Historically, the Boko Haram group is known by the Nigerian state to have existed since 1995 under the name of *Ahlusunna wal’jama ah hijra*. And according to Oviasogie, “the sect has subsequently flourished under various names like the Nigerian Taliban, Yusufiyah sect, and Boko Haram (literally meaning western education is a sin).”<sup>65</sup> As the name indicates, the group is opposed to what it perceives as western based penetration that acts as threat to orthodox values, beliefs and customs among Muslims in northern part of Nigeria. The ideology of the group is grounded in the practice of orthodox Islam. Orthodox Islam in their belief and interpretation abhors western education and western system of administration. And this explains the name Boko Haram, meaning western education is a sin.

The first time Boko Haram took up arms against state security apparatus was in 2003 when it strongly attacked police stations and government buildings in Yobe

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<sup>64</sup> P.M. Kehinde and P.O. Mobuogwu, “Political Obligation and the Mitigation of Boko-Haram Terrorism in Nigeria: A Philosophical Reflection,” *SWEM Journal of Religion and Philosophy*,5 (2015), p. 31.

<sup>65</sup> F. O. Oviasogie, “State Failure, Terrorism and Global Security: An Analysis of the Boko Haram Insurgency in Northern Nigeria,” *Journal of Sustainable Society*, 2 (2013), p. 25.

state killing several people and destroying properties. Such attacks were also carried out in Bama and Gworza police stations in Borno state. And since then, the sect's activities have spread to a total of five northern states, namely Borno, Yobe, Bauchi, Taraba and Kano. These five states plus the federal capital territory Abuja are the most hit by this group. No wonder, it has overtaken ISIL as the most deadly terrorist group in the world. The report released on November 16, 2015 by the institute for economic and peace said the Islamic terror group in Nigeria, Boko Haram, overtook ISIL in 2014 to become the most deadly terrorist group in the world.<sup>66</sup>

Terrorism all over the world is politically and religiously charged. This is because terrorist organizations are setup to achieve religious or political goals. Terrorism in Nigeria is not exempted from this. The sect's acclaimed philosophy is rooted in the practice of orthodox Islam which they believe is against anything western. Politically, the goal of Boko Haram is to create an Islamic state in the 12 northern states of Nigeria, with the plan of subsequently spreading to the rest of the country. It is a form of extreme Islamic fundamentalism. The "Boko Haram violence has been in the main motivated by the sect's dichotomization between secularism and Islamic values."<sup>67</sup> Hence, members of the sect are of the view that the elements of western education system are in conflict with the fundamentals of Islam. Thus, Xan opines that "he (Yusuf) did not want mixed schools, or the teaching of evolution in schools. He wanted children to have more time to study their religion. Democracy is also alien to him because he succinctly stated that he will not support a government whose constitution was not based on the Koran."<sup>68</sup> However, some scholars and investigators are sceptical as to the claim that Boko Haram was founded on strict Islamic ideology. This is because of the group's use of extreme violence as a means of social change. Their style and method have been condemned by most scholars as grossly unrelated to any religion. And for Oladdle, "hiding behind the facade of religion to perpetrate dastardly acts of killing and maiming innocent people is not Islamic as the Holy

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<sup>66</sup> "Global Terrorism Index 2015", *Institute for Economic & Peace Report*, 2015. P. 2

<sup>67</sup> R. Xan. "Changing Face of Nigeria Boko Haram" *Daily Trust Newspaper*, May 24, 2012, p. 56

<sup>68</sup> Xan, "Changing Face of Nigeria Boko Haram," p. 56

Quran abhors such atrocities...Islam is a religion of peace.”<sup>69</sup> It must be stated that the victims of Boko Haram attacks are Christians and Muslims. As such, one begins to wonder which particular religion the group is fighting for. Because of this, there is the view by some scholars and analysts that “there is an underlying political agenda to this terror campaign, which is seen as a part of an orchestrated attempt to destabilize the government of Nigeria.”<sup>70</sup> But if one is to accept the above view, the question would be, which political divide is responsible for this? This all important question arises because of the fact that Boko Haram even before now carried out attacks under the administration of Goodluck Jonathan, and now that there is a new administration from a former opposition party, the group has not stopped in its attacks and bombings. It is really a complex issue.

However, Boko Haram and other terrorist groups are largely a product of wide spread social economic factors like poverty, unemployment, illiteracy, ethnicity, corruption, etc. the foundation of this terror group is more socio-economic than it is political or ideological. And as expressed by Nchi, “poverty and ignorance are fertilizers for insurgency anywhere and in any age. When they combine and cloak themselves in religious, ethnic, or other partisan robes, they become ready incentive for the most brutal and reckless of violence.”<sup>71</sup> A very high percentage of those living in the northern part of Nigeria are poor. Thus, in corroborating this view, the then governor of central bank of Nigeria, Charles Soludu expressed that persistent high levels of poverty in the country had become a northern phenomenon. And according to Desmond Tutu, Kim Dae-Jung and Oscar Arias Sanchez during December 2001 gathering of Nobel Peace Prize Laureates in Oslo, Norway, the causes of terrorism are poverty, inequality and the absence of social justice in the developing world.

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<sup>69</sup> I. Oladdle, quoted in L.A. Salawu and E.O. Adeoti, “Terrorism and Nigerian Democracy: Implications for Sustainable Development,” *European Journal of Globalization and Development Research*, 11 (2015), p. 660.

<sup>70</sup> Salawu and Adeoti, “Terrorism and Nigerian Democracy: Implications for Sustainable Development,” p. 660

<sup>71</sup> S.I. Nchi, *Religion and Politics in Nigeria: The Constitutional Issues*, (Jos: Green-world Publishing Co. Ltd., 2013). p. 210.

But one may ask, is poverty a recent problem? Has poverty or poor people not been in Nigeria for ages? It might be true that poverty has been with man for ages, however, the poverty rate has increased over the years and the northern part of Nigeria which is worst hit by the menace of terrorism has the poorest states in Nigeria. It was observed that “of the ten states with the highest incidence of poverty eight were in the far northern zone. These include Jigawa with 97 percent; Kebbi 89.7 percent, Kogi 86.6 percent, Bauchi 86.8 percent, Kwara 85.2 percent, Yobe 83.3 percent, Zamfara 80.7 percent, Gombe 77 percent, Sokoto 76.8 percent and Adamawa 71.7 percent.”<sup>72</sup>

Corruption is another factor that has made terrorism to thrive in Nigeria. According to one Nigerian journalist that has access to some senior Boko Haram leaders, “corruption became the catalyst for Boko Haram. Mohammed Yusuf the group first leader would have found it difficult to gain a lot of these people (terrorists) if he was operating in a functional state. But his teaching was easily accepted because the environment, injustices made it fertile for his ideology to grow fast, very fast, like wildfire.”<sup>73</sup> Most of the people recruited by Boko Haram are the poor who are frustrated and sick of the society.

The Boko Haram insurgency poses a dire humanitarian consequence for Nigeria. According to Okoli and Philip, “apart from the Nigerian civil war (1967-1970) no other single event of complex emergency in the country has been as debilitating as the Boko Haram insurgency in terms of humanitarian impacts.”<sup>74</sup> This can be seen in the level of insecurity, fear in the northern part and the country as a whole. Also, there is a livelihood crisis: several people have been displaced from their homes while others have lost their sources of livelihood. Also, Boko Haram insurgency has led to human right abuses by both the insurgents and the security

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<sup>72</sup> U.S. Ayegba, “Unemployment and poverty as sources and consequence of insecurity in Nigeria: The Boko Haram insurgency revisited,” *African Journal of Political Science and International Relations*. p. 95.

<sup>73</sup> Zumve, “Terrorism in Contemporary Nigeria: A Latent Function of Official Corruption and State Neglect,” p. 128

<sup>74</sup> Okoli and Philip, “Terrorism and Humanitarian Crisis in Nigeria: Insights from Boko-Haram Insurgency,” p. 44.

forces. The most devastating effect is the loss of thousands of lives and injury to many.

### **A Brief Exposition of Some Ethical Theories**

This paper adopts the theories of Utilitarianism, Hedonism, Kantian Universalism, Divine Command Theory, and Virtue Ethics in interrogating terrorism and counter terrorism in Nigeria. These theories will help us have a better view of the ethical issues that terrorism and counter terrorism in Nigeria poses. But before making an exposition of these theories, it is imperative to define some basic concepts: Ethics and Morality. What is Ethics? What is Morality? Simply put, Ethics can be defined “as a branch of philosophy that involves systematizing, defending, and recommending concepts of right and wrong conducts.”<sup>75</sup> It is the study of morality. That is the study of what is good, bad, right, or wrong. In the words of Ujomu, “morality has to do with a set of rules for guiding human behavior and a set of reasons or grounds of moral obligations.”<sup>76</sup> Thus, ethics, morality are needed as mechanisms of social control, as tools to harmonize our different interests, choices and most importantly, to cement the significance of the human person as an end in itself. Consequently, there is the ‘end’ and ‘means’ debate: between an ‘end’ and ‘means’ which one is supreme when examining moral issues. This debate extends to the question of the proper object of moral judgment. On the one hand, we have the consequentialist or teleologist who emphasizes the results of an action. In other words, the consequence of an action determines the morality or otherwise of an action. On the other hand, we have the advocates of motive as the determining factor in measuring the rightness or wrongness of an action. Basically, the consequentialist (teleological) theories are concerned with the consequences of an action while the nonconsequentialist (deontological) theories are based on some other factors other than consequences of a person’s actions. For the proponents of nonconsequentialist theories the morality of an action must be solely

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<sup>75</sup> “Ethics” available at <https://en.m.wikipedia.org/wiki/Ethics> accessed on 5/12/2019

<sup>76</sup> P.O Ujomu, “Ubuntu Ethics,” in H. Ten Have (ed.), *Encyclopedia of Global Bioethics* (Springer Science + Business Media Dordredt, 2015) p. 5

determined by the rightness or otherwise of that action regardless of its consequences.

One popular consequentialist theory is utilitarianism. Utilitarianism is an ethical theory founded on the greatest happiness of the greatest number of persons. It states that an action is morally right if it brings about the greatest happiness to the greatest number of persons. Put simply, the “basic premise of utilitarianism was that human beings as a rule sought happiness, that pleasure alone was good, and that the only right action was that which produced the greatest happiness of the greatest number.”<sup>77</sup> This basically means that “the conduct which, under any given circumstances, is objectively right is that which will produce the greatest amount of happiness on the whole; that is, taking into account all whose happiness is affected by the conduct.”<sup>78</sup>

Another theory that is closely related to the above stated is ethical hedonism. This is another consequentialist or teleological theory. Hedonism states that an action is morally right if it gives pleasure in the end. Hence the end result of an action is most important in determining the rightness or wrongness of an action. According to the hedonists, “only pleasure is intrinsically good and only pain is intrinsically bad; all other good things are good only because they increase pleasure (or decrease pain).”<sup>79</sup>

Moving away from the consequentialists theories, we have the intuitionists who emphasize motive as the object of moral judgment. To them motive is superior to consequences. Under the nonconsequentialist theories is what is often called Duty Ethics which was formulated by the German philosopher Immanuel Kant. This theory states that we must perform our duty for duty’s sake and not because of its utility or the pleasure it generates. Beyond acting based on one’s sense of duty, such an action must be capable of being made a universal law or categorical imperative. The categorical imperative basically states thus: “act only

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<sup>77</sup> S. Mukherjee and S. Ramaswamy, *A History of Political Thought*, (New Delhi: PHL Learning Private Limited, 2011), p. 318

<sup>78</sup> E. Barcelow, *Moral Philosophy: Theory and Issues*, (California: Wadsworth Publishing Company, 2001), p. 116

<sup>79</sup> *Ibid.*, p. 72

according to that maxim by which you can at the same time will that it should become a universal law.”<sup>80</sup> This essentially means that anytime an individual wants to make a moral decision he must first ask if the rule authorizing his action can be made a universal rule for all mankind. Thus, universalism becomes the essence of Kant’s categorical imperative.

Further, the Divine Command Theory is another Deontological Theory of Ethics. This theory states that “an action is wrong if and only if it is forbidden by God and an action is right if and only if it is either permitted or required by God. Therefore, “whatever God permits is morally acceptable, and whatever God requires is morally obligatory.”<sup>81</sup> Thus, God is the determinant of morality. This theory raises a lot of issues that we will touch/highlight in the next section of this paper.

### **An Ethical Interrogation of Terrorism and Counter-Terrorism in Nigeria**

In this section we would be examining terrorism through the moral lens of some ethical theories. Embedded in this ethical interrogation is an ethical strategy of countering terrorism. Thus this section is a philosophical way of embarking on counter-terror. Essentially, these ethical theories will show us why at the level of rationality we need to counter terrorism. Hence, in a sense these theories as implied here are counter-terrorism strategies from an ethical point of view. The question is what makes an act or action a moral issue? Basically moral issues arise when the actions or choices we make affect other people either by causing pain, harm or joy. Clearly it becomes important to examine the morality of terrorism as it affects other people and thus raises moral issues. The first point to start is to look at the possible reasons for terrorist activities. Why do terrorists carry out terror attacks? From the view point of the terrorist, there are two often expressed explanations for their actions. They are frustration-aggression theory and the rational explanation. Frustration theory states that terrorism is a response to injustice, exploitation and harassment. It means that the terrorists resort to violence because they were fed up with the injustice perpetrated against them or against the society they belong. One of such injustice could be the high level of economic deprivation. The rational choice explanation states that terrorism is a deliberate act used with the sole aim of achieving certain goals.

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<sup>80</sup> Barcelow, *Moral Philosophy: Theory and Issues*, p. 137

<sup>81</sup> *Ibid.*, p. 24

What then are the goals of the terrorists? Different scholars have posited several goals of terrorist groups ranging from political, intimidation and harassment of a political system which might lead to the collapse of that regime, and publicity. According to Krieger and Meierrieks, “the main tactical (short term) goals of terrorism are (1) gaining publicity and media attention, (2) destabilizing polity and (3) damaging economies. Among the long-run goals of terrorism is a redistribution of power, influence and wealth.”<sup>82</sup> Thus in order to achieve the above highlighted goals/objectives the terrorists employ unlawful violence against innocent citizens, because more often the targets are noncombatants and not security agents. To this end one is tempted to ask about the morality of killing and maiming just to achieve a desired goal whether good or genuine. Are the terrorists morally justified in using terror as a means in achieving their so called good end? Can a good end be achieved by a cruel means? Is it possible to morally achieve a good end through an immoral means? It is important to clarify a few things before we proceed; existentially speaking it is possible to achieve a good end through moral and immoral means. An immoral method can produce a desired-good end. The morality of such action is something different. In fact this is the basis of the consequentialist ethical theory. This theory places result above everything else. An action is morally permissible if it generates the desired outcome. Under the teleological theory we have utilitarianism and hedonism. Examining terrorism through the lens of utilitarianism would mean that terrorist attacks must result in the greatest happiness of the greatest number of persons. And for hedonism it must bring pleasure to the terrorist or the society as a whole. Again, one might ask: is it possible for terrorism to bring about happiness to the greatest number of persons? This question is important because terrorist activities lead to the death of innocent people and destruction of properties. The Boko Haram terrorist group based in Nigeria for instance is very deadly and through its activities lives have been lost. In fact the bombing of the UN and Police headquarters are good examples of the destructive nature of the group. Their activities have led to the displacement of thousands thereby leading to the present humanitarian crisis in the North East of Nigeria. How then can these situations be justified on the ground of utilitarianism or even hedonism? How can the killing and maiming of people bring happiness to the greatest number of the society? Certainly this is not possible because the opposite is the case:

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<sup>82</sup> T Krieger and D. Meierrieks, “What Causes Terrorism?”, *Public Choice*, Vol. 147, 1 (2011), p. 5

terrorist attacks bring pains and suffering to the people and not happiness. The Boko Haram terrorists may respond that their activities are geared towards a long term output/result and not immediate happiness. This is a fall back to the 'end' and 'means' debate. Granted that they may be pursuing a genuine or worthy cause which might at the end bring about a good end; must an immoral means or method be employed? Are there no alternative ways of achieving a desired outcome without killing innocent people? Is it morally good to be killing the same people you claim to be fighting for? This last point is crucial because the Boko Haram group does not always target combatants. In fact the nature of terrorism all over the world is that they mostly target civilian population so as to pass a loud message to the actual target. With regards to hedonism, for terrorists' acts to be ethically good they have to bring pleasure to the terrorists or to the society at large. There are two types of pleasure: egoistic and altruistic pleasure. When pleasure is desired for oneself then it is termed egoistic pleasure, and when it is desired for the society it is called altruistic pleasure. It appears the activities of the Boko Haram group do not bring any iota of pleasure to the society. Instead it brings pain, mourning, crying, fear and a feeling of uncertainty. Or can it be said that the terrorists derive pleasure in killing human beings? Is killing people pleasurable? Is it possible to derive pleasure in killing people? These questions are critical because the terrorists claim to be carrying out a holy duty and if that is the case, they may seem to be deriving pleasure in their acts. In this case, it will be egoistic pleasure. Further, there is the view that some persons and groups in the society may be sponsors of Boko Haram. If this is true, then their sponsors may be deriving some pleasure from the success of their project. Again, this is at the level of egoistic hedonism. Hence, at the societal level, hedonism cannot morally justify Boko Haram terrorism as no altruistic pleasure (of the entire society) comes from it.

With the failure of utilitarianism and hedonism in morally justifying the Boko Haram terrorist activities, can there be any other moral theory to the rescue? The intuitionists as stated earlier are of the view that the motive behind an action should be the main factor in determining the morality or otherwise of an action and not the consequence. Looking at terrorism in Nigeria as carried out by the Boko Haram group it is obvious that their motive is to create an Islamic state, where they can govern according to their established desired codes and laws. In most cases, the terrorists have cited the failure in governance as a major propelling factor for their actions. Notwithstanding, is having a good motive enough in determining the morality of an action? To buttress this point let us use

the example of two students preparing for the same exam. Both of them have a good motive of passing very well in the exam but student A passes the exam by involving in cheating in the exam hall without being caught. While student B passed through his own singular effort. Obviously both students A and B have good motive of passing the exam but they used different means in achieving this desired end. This clearly shows that motive alone might not be enough in determining the morality of an action. In relation to terrorism in Nigeria, it is clear that the method used is not ethically good, the motive notwithstanding.

Our next tool of interrogation is the duty ethics theory. This theory simply states that we are to perform our duty not minding the consequences. The Boko Haram terrorists will easily embrace this theory with the argument that it is their duty to rescue themselves and their people from an unjust system of oppression and exploitation. But is performing one's duty a call to stop others from performing theirs? Is trampling on the right of others part of duty call? For example the kidnapping of the Chibok and Damchi school girls were carried out by the Boko Haram group and till date a good number of the students have been killed while others are still held captive after so many years. This clearly is a violation of their right to life, freedom and association. Duty ethics cannot justify terrorism because every human person is an end and not a means. In fact the German Philosopher Immanuel Kant opined that the human being should not be treated as an object or means but as an end in himself. Morality for Kant is based on the principle of universalism. This principle states that "an action is morally acceptable if and only if the maxim the individual is following is morally acceptable. If we are following a maxim that's not morally acceptable the action is wrong, but how can we determine whether a maxim that we're following is morally acceptable? Kant maintained that a maxim is morally acceptable if and only if one could consistently will that it become a *universal law*."<sup>83</sup> Can the rule or principle guiding the Boko Haram terrorist be universalized? Kant was serious against killing of another person because to do so would mean to establish a universal principle that would be contradictory and therefore violates the moral universalism. The moral principle that would be generated from the actions of the terrorists is: everyone must kill everyone else in order to establish a desired goal. This would be contradictory and therefore cannot be universalized. Killing by the Boko Haram terrorists in any guise seems immoral and difficult to justify.

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<sup>83</sup> E. Barcelow, *Moral Philosophy: Theory and Issues*, p. 137

On a religious basis it has been opined by some scholars that most terrorist groups are religiously charged. The Boko Haram group for instance is founded on radical Islamism and claims to be fighting a holy war. This takes us to the divine command theory of morality. This theory states that God's commands makes things right or wrong. An action is wrong if God forbids it and an action is right if God permits it. This theory is highly problematic because of the following: not everyone believes that God exists, how do we know what God's law is? There are different interpretations of God's law, which one is correct? Different people believe in different Gods thereby in most cases leading to contradictory views. Taking the example of the Boko Haram group for instance they claim to be carrying out Allah's charge of holy war, which is to destroy infidels. They believe they are engaged in a righteous cause and thus justified in their action. A section of the Quran that seems to support such acts against infidels is in Quran 9:5,

But when the forbidden months are past, then fight and slay the pagans wherever ye find them, and seize them, and lie in wait for them in any stratagem (of war); but if they repent, and establish regular prayers and practice regular charity, then open the way for them: for Allah is oft-forgiving, Most Merciful.<sup>84</sup>

Also, Q9:29 instructs Muslims to:

Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which hath been forbidden which hath been forbidden by Allah and His Messenger, nor acknowledge the religion of Truth, (even if they are) of the people of the Book, until they pay the *Jizya* with willing submission, and feel themselves subdued."<sup>85</sup>

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<sup>84</sup> "Sword Verse" available at [https://en.m.wikipedia.org/wiki/Swords\\_Verse](https://en.m.wikipedia.org/wiki/Swords_Verse), accessed on 23/05/2020

<sup>85</sup> Ayaan Hirsi Ali, "Islam is a Religion of Violence", Available at <https://foreignpolicy.com/2015/11/09/islam-is-a-religion-of-violence-ayaan-hirsi-ali-debate-islamic-state/> accessed on 29/5/2020

However, according to Oladdle, “hiding behind the facade of religion to perpetrate dastardly acts of killing and maiming innocent people is not Islamic as the Holy Quran abhors such atrocities...Islam is a religion of peace.”<sup>86</sup> So is there a misinterpretation of the Koran or are the terrorists just deliberately hiding under religion to perpetrate their evil acts? Some Islamic scholars have argued that the fact that some Muslims are engaging in extreme violence and terrorism does not mean that terrorism is a product of Islam. According to Manal Omar,

The complicated truth of the matter is that the extremist violence that has overtaken a majority of Muslims countries, including Iraq, Syria, and Pakistan, is the product of complex political and social circumstances. They include colonial legacies and more modern great power politics – and the artificial borders that they bequeathed the region. The violence is perpetrated by official structures that favour a few over the many, and the collapse of government institutions. Religion, certainly, is part of the mix,...but that comes into play not because of the nature of the faith but because of the way it is abused and manipulated.<sup>87</sup>

Again, the issue of misinterpretation of parts of the Quran is emphasized. How do we know who is wrong and who is right? In the case of terrorism in Nigeria, Manal Omar asserts that “Boko Haram and its ilk have manipulated Islam as a powerful recruitment tool, in much the same way Western states use nationalism to mobilize support for wars.”<sup>88</sup> To further buttress his argument that Islam is a religion of peace Omar opines that “those who claim Islam is an inherently violent religion ignore the overwhelming majority of adherents to the Faith -

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<sup>86</sup> Salawu and Adeoti, “Terrorism and Nigerian Democracy: Implications for Sustainable Development,” p. 660

<sup>87</sup>Manal Omar, “Islam is a Religion of Peace”, Available at <https://foreignpolicy.com/2015/11/09/islam-is-a-religion-of-peace-manal-omar-debate-islamic-state/> accessed on 29/5/2020

<sup>88</sup> Omar, “Islam is a Religion of Peace”

there are more than 1.5 billion Muslims worldwide – who live peacefully.”<sup>89</sup> And some of these Muslims are leading the fight against terrorism. Hence, in his view, “...if the tenets of Islam could truly cause violence, all these Muslims would be joining the Islamic state instead of risking their lives to stop it.”<sup>90</sup> In fact, President Tayyip Erdogan expressed concern over the identification of Islam with terrorism, “saying that it is not ethical to mention the two terms side by side, as Islam is a religion that promotes peace. ‘The literal meaning of the word Islam is peace.’”<sup>91</sup> Be that as it may, it appears that it is difficult to justify Boko Haram’s acts of terrorism through the lens of the divine command theory. Killing of innocent people under any name is morally wrong. Hence Boko Haram terrorism is unacceptable and immoral.

Another important aspect of this paper is the issue of counter terrorism in Nigeria. So far we have shown that the activities of the Boko Haram group cannot be morally justified in any form. How about the state’s response to them, can it be morally justified? This point is very important because counter terrorism in Nigeria raises so many ethical and human rights questions. In fact, the escalation of the Boko Haram activities in Nigeria is attributed to the extra-judicial killing of their foremost leader/founder Mohammed Yusuf. The arrest, detention and killing of Yusuf were a major drive for the unfortunate level of violence unleashed by the group. The Nigerian military have been accused by the group for unlawfully detaining their members and sometimes killing them with no pronouncement of the law court. Against this backdrop we ask: is it morally right to execute a terrorist without going through the due process of the law? Some scholars have opined that as far as the terrorist poses a serious danger to the rest of the society then it is allowed. Again, is it morally right to kill one man or a group of people just to save the majority? Just to avoid ambiguity, the killing is not within the context of combat with the Boko Haram fighters. If killing a terrorist extra-judicially is allowed just to save other human beings then

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<sup>89</sup> Omar, “Islam is a Religion of Peace”

<sup>90</sup> Omar, “Islam is a Religion of Peace”

<sup>91</sup> Tayyip Erdogan quoted in Grinin, L., *et al*, *Islamism, Arab Spring, And The Future Of Democracy, Perspectives On Development In The Middle East And North Africa (MENA) Region*. (Cham: Springer International Publishing Ag., 2019), p.

where then are the human rights of the terrorist especially the right to life and human dignity? Suffice it to state that by committing acts of terror the terrorists violates the fundamental human rights of their victims. The proponents of “the end justifies the means” argument argue that it is right to eliminate a terrorist if the actions or anticipated actions of that terrorist poses a serious threat and danger to the lives of others. This argument is based on the consequences of not eliminating the terrorist. It is utilitarian in nature. It is also a version of the “lesser evil” debate; that is, when an individual (in this case government) is faced with two alternatives to choose from, the lesser of the two options should be chosen. On the contrary, F.R Teson argues that “threats to security almost never justify restricting personal liberties, because human rights are deontological concepts and are conceived as trumping the pursuit of utility or the general welfare.”<sup>92</sup> This simply means that the right to life must be valued and respected on the basis of its intrinsic worth and not on utilitarian grounds.

Further, the “last resort” argument is also pushed forward by some scholars and state-actors as a reason for employing elements of counterterrorism like assassination, torture, illegal detention and lethal drone strikes. The argument is basically based on the logic that once less forceful methods have been judged to be inadequate, then eliminating the terrorist in this case is justified. This clearly goes against democratic tenets of fairness, equality and respect for the human person. It also gives the government unrestrained power to determine when and how to eliminate an individual. More so, Khatchadourian contends that:

...assassination in the context of counter-terrorism is never morally justified where the victim’s life is taken, and no process of law is adhered to that enables him or her to bring a defense against alleged charges. As well, the outcome of an assassination is the termination of the victim’s life by the assassin, who takes the law into his hands to dispense punishment that is capital in nature and who in doing so becomes the judge of the victim’s

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<sup>92</sup> F.R. Teson, *Human Rights in the “War on Terror”*, (Cambridge: Cambridge University Press, 2005), p. 64

deeds. An assassination also violates the victim's right to life.<sup>93</sup>

Basically, as opined by Wilkinson, "it must be a cardinal principle of a liberal democracy in dealing with the problems of terrorism, however serious these may be, never to be tempted into using methods which are incompatible with the liberal values of humanity, liberty, and justice."<sup>94</sup> The extra judicial killing of the foremost founder of Boko Haram, Mohammed Yusuf, by the Nigerian Army, we can posit is based on the idea that in countering terrorism, terrorists must be eliminated "crushing military force on the assumption that the only good terrorist is a dead terrorist."<sup>95</sup> This absolute way of reasoning forecloses the possibility of change of heart of a terrorist as a human being who is rational and emotional too. On a deeper note, this principle objectifies the terrorist. This clearly is against the Kantian dictum of man as an end in itself. In addition, such unlawful actions of state-actors crumble the democratic edifice and its values. In essence, "...by abandoning the due process under the rule of law and by violations of human rights of suspects, we betray the very values and principles which are the foundations of the democracies we seek to defend."<sup>96</sup> These are dicey issues because:

...the temptation for governments and parliaments in countries suffering from terrorist action is to fight fire with fire, setting aside the legal safeguard that exists in a democratic state. But let us be clear about this: while the state has the right to employ its full arsenal of legal weapon to repress and prevent terrorist activities, it may not use indiscriminate measures which would only undermine the fundamental values they seek to protect.

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<sup>93</sup> H. Khatchadourian, "Counterterrorism: Torture and Assassination" In: G. Meggle (ed.) *Ethics of Terrorism and Counter-Terrorism* (2005), pp. 177-196

<sup>94</sup> P. Wilkinson, *Terrorism Versus Democracy: The Liberal State Response*, (London: Frank Cass, 2001), p. 115

<sup>95</sup> *Ibid.*, p. 63

<sup>96</sup> Wilkinson, *Terrorism Versus Democracy: The Liberal State Response*, p. 63

For a state to react in such a way would be to fall into the trap set by terrorism for democracy and the rule of law. It is precisely in situations of crisis, such as those brought about by terrorism, that respect for human rights is even more important and that even greater vigilance is called for.<sup>97</sup>

Within a democracy it is important to note that a country that is signatory to the human rights charter should not be caught choosing the rights to enforce, the rights to discard and when to enforce them. A state that is human rights compliant must apply all human rights to all its citizens, and all those within its geographical/legal jurisdiction. Succinctly put, “respect for law and fundamental rights is what distinguishes democratic systems from the murky worlds of dictatorship and tyranny.”<sup>98</sup>

From the exposition so far it is clear that terrorism is evil and cannot be morally justified using the aforementioned ethical theories. However, there is a logical cord binding all the ethical theories discussed. They share something in common at the level of rationality; they are all aimed at preserving human life and promoting human dignity. Simply put, all the ethical theories discussed are pro-life, that is they are primarily concerned about the wellbeing of human beings. Thus at the philosophical level there is a kind of agreement between these ethical theories and this is easily shown at the premium they place on human life and human dignity. Consequently, it further shows why these ethical theories cannot agree with terrorism. There is a logical nexus between these theories as promoters of human life and anti-terrorism ethical theories.

## **Conclusion**

This paper set out to examine terrorism and counter terrorism in Nigeria through the ethical lens. The core of the paper is to check if there is any moral ground for justifying the issue of terrorism in Nigeria. This became imperative because of the devastating nature of terrorism and the often quoted saying that one man’s terrorist is another’s freedom fighter. So far in this work we have been able to

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<sup>97</sup> Preface to the COE Guidelines on human rights and the fight against terrorism (Council of Europe Publishing, Strasbourg, June 2004)

<sup>98</sup> P. Wilkinson, *Terrorism Versus Democracy: The Liberal State Response*, p. 64

interrogate terrorism and counter terrorism using some ethical theories like utilitarianism, Kantian categorical imperative, divine command theory, hedonism etc. From our interrogation we discovered that none of these theories can justify the terrible and inhuman acts of the Boko Haram terrorism. The killings, kidnapping, bombings, destruction of properties, threats of fear by the Boko Haram terrorist group cannot be morally justified. Instead it is morally condemnable and should be stopped with the full instrumentality of the state. However, in the ongoing onslaught against the Boko Haram in an attempt to stop their ugly activities, the Nigerian state through the military must counter terrorism within the ambit of the law. An immoral act in this case terrorism must not be tackled through immoral and illegal means. Democracy calls for a total and all encompassing embrace of its ideals/principles and not a partial compliance.