

FIGHT AGAINST ARMED BANDITRY IN NIGERIA'S NORTH-WEST: AN ASSESSMENT OF THE CONSTITUTIONAL BORDERLINES BETWEEN STATES & THE FEDERAL GOVERNMENT OF NIGERIA

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Abstract: *Since the beginning of armed banditry, precisely in 2011, there have been unending national debates as to who is responsible for the management of the excesses of these bandit criminals. While the constitution has made the issue of security of the lives and properties of Nigerian citizens an exclusive power of the government at the center, State Governors, mostly hit by this criminality, took the boldest step of instituting measures that can bring relief to their people without mincing over the constitutional borderlines. The Governors, for instance, vividly relied on the same constitution that confers on them the powers of the Chief Security Officers of their respective states to take actions related to security matters, most of the time in isolation from the federal government. This development causes serious friction with regard to the issue of coordination, synergy, and working as a network to end banditry violence. This recent development has for instance, brought about the crisis as to which measure should to be uniformly adopted in managing banditry violence. At some points, for instance, while the federal government is applying military operations in states affected by the banditry violence, the state governors are applying peace accords as an option to the military operations, and these conflicts continue to bring confusion and negate the ability and powers of the government to be able to handle this crisis head-on. This paper aims at conducting an overview of the crisis of constitutional borderline and determining who controls what, and at what point certain steps are supposed to be taken to be able to bring an end to the armed banditry violence in Nigeria's North-West. The paper adopted a mixed research methodology of literature review and field interviews with a view to comparing data from the field with the existing literature to arrive at some findings that can be useful in policy formulation and coordination by the government.*

Keywords: Armed Banditry, Nigeria North-West, Constitutional Borderlines, Federal-State Relations, Security Governance, Intergovernmental Conflict.

Introduction

One of the complex social problems that characterized the management of armed banditry crises in the North-Western part of Nigeria is the delineation of the constitutional borderline pertaining to who takes charge of security management in the country. As the conflicts continued to escalate in various parts of the country from the North to the South and East, the federal government and indeed the states and local governments continue to react to these banditry conflicts in a varying manner that continues to bring confusion among the citizens. The constitution of the Federal Republic of Nigeria 1999 as amended has assigned the issue of security and safety of Nigerian citizens under the exclusive list. This means, the powers solidly belong to the government at the center. While these constitutional powers are always being exclusively exercised by the federal government, states that are under serious security threats have resorted to applying alternative constitutional powers to take charge of the security of their respective states. This development causes serious constitutional boundary crises on who plays what role between the two tiers of the government (Anka 2024).

Since the beginning of armed banditry in 2011, these constitutional boundary crises became too open as states like Zamfara, Katsina, and Kaduna took their peculiar steps without minimizing the exclusivity of the powers of the federal government in the area of security. Apart from the enactment of exclusive legislation targeted at fighting bandit criminals, these states also went ahead to spearhead the constitution of community security guards; hence, they argued that their powers to control and leverage on the security operatives owned by the federal government are always faced with a lot of complexities and limitations. But observers believed that operating in parallel disorder between the two tiers of government constituted the major reason why banditry violence escalated beyond reasonable proportion.

Again, the same states, despite having their own legislations are forced to accept the verdicts of the federal legislation made in the same regard. The Terrorism Prevention and Prohibition Act 2022 and the Terrorism Prevention Act 2013, among others, are federally enacted legislations that the national assembly of Nigeria developed to strengthen the fight against terrorism, including banditry. But the question is, how are states that enacted their own terrorism and counter-terrorism acts going to reconcile some areas of differences in the two different legislations in the overall interest

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of managing the banditry crisis These questions remain unanswered, as decisions and indecisions against the activities of the armed bandits by state and federal governments for over a decade now continue to exist with a wider gap (Maradun 2023).

This development, in the views of some observers, called for constitutional amendment to see to the possibility of extending the powers of security management to the concurrent list so that the two tiers of government, states, and federal, can have a defined stake as to who plays what role and at what point the two can come together to play some integrated roles in the interest of ensuring sustainable security in the region and country by extension.

The objective of this paper is to conduct a review of the constitutional and boundary crises between states and the federal government on matters pertaining to security management and also establish how the escalation of banditry violence influenced states to begin to exercise powers that are limited to the exclusive jurisdiction of the federal government. The paper adopted a mixed research methodology of literature review and field interviews with a view to comparing data and establishing some realistic findings that are considered critical for governments across all levels to apply in finding solutions to the banditry violence in Nigeria.

Overview of Armed Banditry since 2011

Zamfara has one of the states affected by armed banditry since 2011. The phenomenon, in the view of (Anka 2023), started as a conflict between Fulani herdsmen and local farmers but later transformed to become a regional and later international conflict that resulted in the killings of hundreds of thousands of innocent souls. The causes of this banditry are multifaceted, ranging from scarcity of arable land to inequality in its distribution among both the locals, who are basically farmers and Fulani herders who needed the land for their livestock grazing. In the opinion of (Anka 2023) again, “banditry was caused by inequality and marginalization demonstrated by the Fulani ethnic race over distribution and allocation of state resources, especially in the areas of education, health, and access to basic social amenities.

As of now, there are no clear statistics as to the actual number of people killed since armed banditry violence started. (Anka 2023) argued that between 5,000 and 15,000 people have been killed both in Zamfara and other neighboring states of Katsina, Kebbi, Kaduna, and Sokoto, with grave financial losses valued at over one trillion naira as of the year 2022. The consequential effects of armed banditry resulted in forcing people to embark on forceful migration to settlements they are not very familiar with and also rendered thousands of households internally displaced. Using the 2021 data from the Ministry for Humanitarian Affairs Gusau, Zamfara State, (Anka 2023) argued that there are over 120,000 households that have been displaced in Zamfara since 2011 and that the estimate can be approximated to 1,000,000 internally displaced persons when the number of wives and children of these households is added to the figure. The tragedy of armed banditry violence has also resulted in the forceful migration of Fulani herders with their large herds of livestock out of the banditry frontline states such as Zamfara, Katsina, and Kaduna to areas in the North-East, and as a result, livestock scarcity continues to impact badly on the basic demands of meat, milk, and other sources of protein for human consumption. As argued by (Anka 2023), over 70% of livestock that were reared before the banditry started in Zamfara have been moved to other non-conflict and safer

states in the North-East such as Taraba and Adamawa as the Fulani ethnic group continues to be targeted by some organized local vigilantes for reprisal attacks.

Evidently now, farmers in states like Zamfara, in the wake of the banditry violence, no longer go to their farms due to threat or “placement of fines for access to farm.” This, in the arguments of (Anka 2023), affected most of the agriculturally productive areas like Dansadau, Bokolori areas that housed local governments like Maradun, Bakura, and Talatar Mafara, who were basically known to be very active and productive in rice, maize, and soya beans production. This eventually affected both the availability and affordability of the farm products, which usually facilitated adequate food security which states like Zamfara are known for.

Assessment of the Major Operations against Armed Banditry and Matters Arising

Since the year 2011, when armed banditry started, governments across all levels have been taking the boldest steps to matching the excesses of the armed bandits through conventional and nonconventional operations. The Federal Government, for instance, has been using the military, police, and DSS combined to launch various operations in the entire North-west. Though not much has been achieved in terms of reducing banditry criminality while these operations lasted, the government ensured adequate funding for both the troops and procurement of war facilities. (Anka 2025) argued that since the beginning of armed banditry in 2011, many more operations were launched by both President Muhammadu Buhari and now Tinubu aimed at saving the North-Western parts of Nigeria from falling into the hands of the criminal bandit elements who are partly described as non-state actors.

Table (1) Showing Number of Military Operations Conducted against Armed Bandits in NW

S/No	Operation(s)	Area(s)
1	Operation Harbin Kunama	North-West
2	Operation Hadarin Daji	North-West
3	Operation Sharan Daji	North-West
4	Operation Fansar Yamma	North-West
5	Operation Haven	North-West and North Central
6	Operation Diran Mikiya	North-West

Source: As compiled by the Author

Despite the public outcry as to the failure of the conventional operations against the armed bandits by the government of Nigeria, one cannot deny the fact that much success has been achieved and that the initiative has helped in neutralizing many armed bandit actors as well as the recovery of many deadly weapons used by these bandit criminals. (Anka 2024) argued that a significant number of weapons and ammunition have been successfully recovered from the bandit criminals, making the operation one of the reliable strategies to containing the excesses of the armed bandit criminals.

Table (11) Showing the Some Number Bandits Neutralizes/Killed and Weapons Recovered

Date	Local Government	Bandits killed & those Neutralizes	Arms/Items Recovered
09/02/2021	Dumburum/Zurmi LG	Nil	(22) Assorted Weapons Surrendered and (19) Ripples recovered
04/09/2021	Sububu Forest, Maradun LG, Zamfara State	Nil	(2) AK47 Rifles, FN & LMG Rifle recovered.
05/09/2022	Zamfara State	Nil	(6) Calibre of Assorted Automatic Rifles Including CPMG & AK47 Rifles recovered
15/09/2022	Magami-Gusau LG	(2) Bandits Neutralizes	(1) AK47 Rifles, 37.62mm Special Rounds, (6) Grenede Launcher Bombs, Magazines recovered.
09/09/2022	Anka/Bukkuyum LGA's	(1) Suspect Arrested	AK47 Rifles, Fabricated Guns and Amunitions recovered.
06/06/2022	Sokoto, Kebbi and Zamfara	Nil	(706) Assorted Weapons were recovered
30/04/2023	Anka LG	(2) Bandits Neutralizes	PKT Gun, (48) Rounds of 7.62mmX54 ammunitions, (3) magazines with (63) Rounds of 7.62mm Special Amunition and (3) Motorcycles were recovered
26/05/2023	Anka LG	Several Bandits Neutralizes	Many Weapons were Recovered
09/05/2023	Gusau-Tsafe LG.	(2) Bandits Kills	AK47 Rifle and (1) Pump Action Gun were recovered
22/06/2023	Maradun LG	(3) Bandits Neutralizes	(1) GPMG, (1) FN Rifle and (123) Rounds of Special Ammunitions & (3) Motorcycles were recovered
05/07/2023	Gusau LG.	(7) Bandits Neutralizes	(1) Machine Gun, Amunitions, and (6) Motorcycles were Recovered
25/07/2023	Kango, Bungudu LG.	(7) Bandits Neutralizes	(1) Machine Gun, Ammunitions, (6) Motorcycles & (6) AK47 Rifles were recovered.
09/08/2023	Gadar Zaima, Bukkuyum LG.	(10) Bandits killed	(1) PKT Machine Gun, (5) Magazines, (20) Rounds of 7.62mm Special Ammunitions, (3) Mobile Phones, (2) Solar Panels, (1) Sewing Machines were recovered.
15/10/2023	Zamfara	12 Suspects arrested	(4) Locally Fabricated Guns, Some parts of AK47 Rifles (100) rounds of AK47 Live Ammunition, (7) Catridges, a Cutlass and Bunch of Charms were recovered.
15/10/2023	Zamfara	(2) Bandits Informants Arrested	(1) AK47 Rifle and (100) Rounds of Ammunitions recovered
15/10/2023	Tsafe-Funtua Road	(3) Suspected Bandits Arrested	(2) Motrocycles (4) Hnadsets, (1) Walkie-Talkie, and (140,000) Cash Recovered
15/10/2023	Damri-Bakura LG	(3) Armed Bandits Neutralizes	(1) AK47 Rifle with Quantity of 7.62mm Special Amunition & (5) Motorcycles amd some Weapons Recovered.
06/11/2022	Yar-Tasha, Maru LG	Nil	(1) Motorcycle and some Weapons recovered

Source: As Compiled by the Author, (2025)

On the aspect of funding of these operations, (Anka 2025) argued, government has been making adequate provision in the defense budget as well as that of other sister security agencies such as the

police, Immigration, customs and NSCDC to ensure that the operation against armed bandits continues to record significant successes.

Table (3) Showing 22 years Nigeria's Defense Budget

Year	Billions of US \$	% Of GDP
2021	\$ 4.47B	0.97%
2020	\$2.57B	0.63%
2019	\$1.86B	0.46%
2018	\$2.04B	0.51%
2017	\$1.62B	0.43%
2016	\$1.72B	0.42%
2015	\$2.07B	0.41%
2014	\$2.36B	0.47%
2013	\$2.42B	0.50%
2012	\$2.32B	0.58%
2011	\$2.38B	0.54%
2010	\$1.99B	0.51%
2009	\$1.50B	0.49%
2008	\$1.62B	0.37%
2007	\$0.97B	0.35%
2006	\$0.78B	0.40%
2005	\$0.67B	0.49%
2004	\$0.64B	0.57%
2003	\$0.59B	0.95%
2002	\$0.90B	0.78%
2001	\$0.57B	0.54%
2000	\$0.37B	0.86%
1999	\$0.49B	0.55%

Source: Macro-Trend (Online) as captured by Anka 2025

State Governments Affected by Armed Banditry and Unsuccessful Peace Accords

Worried by the prevalence of armed bandit brutality against citizens since the commencement of armed bandit activities and the failure of conventional operations against armed banditry to restore sustainable peace, many state Governors have opted to go into negotiation with the bandit criminals if that would bring lasting peace. Governors of Zamfara, like Abdulaziz Yari Abubakar, for instance, instituted the first and second peace deals in eight years. The purpose was to see the possibility of the bandits surrendering their arms for peace to reign, especially in banditry-volatile areas. (Maradun 2023) argued, "many of us criticized the peace move by Yari at inception because we believed it was demeaning for the government to simply surrender to the bandit criminals without any military oppressiveness." The movement by former Governor Yari to secure peace through the two peace accords yielded very low results as bandits continued to violate the terms of the accords and renewed violence against innocent

communities. Still in Zamfara, Matawalle in 2021 entered into another peace accord with the bandits to help build on the mistakes of his predecessor Yari, but it became seemingly clear that the peace accord may likely suffer the same result as the ones entered by Yari. In the view of (Maradun 2023), the peace accord by former Governor Matawalle failed because there was nothing new to reflect a shift from the old arrangements initiated by Yari. The peace deals, which the public alleged cost the state government of Zamfara billions of naira, amounted to nothing since more communities that had never experienced banditry violence became badly affected. Not only in Zamfara, states like Katsina and Niger entered into similar peace initiatives but recorded poor results as more innocent communities became affected. (Inuwa 2022) argued, "we have worked out various alternative modalities to see an end to the banditry crises through peace dialogue. We have gone to the various forests within Katsina and negotiated with these bandits in the highest sense of the terms of the agreements for these bandits to have a rethink and drop their arms, but things are getting too bad to reckon with as more people joined the league of

banditry groups and continue to cause a more complex security environment than we had anticipated."

In the neighboring state of Kaduna again, the government of Uba Sani tried to ****weigh**** into the same strategies adopted by the Zamfara state government by initiating various peace accords. Though the initiative ****worked****, it only ****succeeded**** in bringing temporary peace as violence renewed, especially in areas like Birnin Gwary, Giwa and Soba local governments. (Maradun 2024) argued, "the recent peace accord entered into between the government of Uba Sani and some selected bandit leaders operating along Birni Gwary forest was a right step, but, we predicted, the measures would only bring temporary relief. Hence the bandits were expected to renew their violence if the terms of the agreements entered into were not fully respected".

Different from the peace accord negotiated by the government directly, some individuals such as Sheikh Ahmad Abubakar Gummi as well as Sheikh Musa Asadus Sunnah, using the mandate of the governments of states and that of the federal initiated similar moves and went to forests along Zamfara, Sokoto and Kaduna to meet these bandit groups and despite the fact that genuine grievances emanating from the concern of the Fulani bandits were drafted, government could not heed to the recommendations of these Islamic scholars which made the peace accord negotiated to fail outrightly.

Constitutional Borderlines and unresolved Banditry Conflict

As insecurity ****continues**** to persist in Northern Nigeria long before the commencement of the armed banditry violence, there has been unending debates as to who owns the power between the federal and state governments in handling security matters. While the constitution vested the powers of security and restoration of peace and public order in the hands of the federal government, other states affected by armed bandit criminalities ****tried**** to navigate on their powers as contained in the constitution, to create a role for themselves on matters related to security management of the territories under their control. The constitution of the federal republic of Nigeria 1999 as amended has, for instance, in line with the provision of section 4(2) states that "the National assembly shall have powers to make laws for the peace, order and good government of the federation or any part thereof with respect to any matter included in the exclusive legislative list set out in Part 1 of the second schedule to this constitution. These constitutional powers have always become the major pillar through which the federal government of Nigeria relies upon in unilaterally taking sole ownership of the security matters as they relate to the states.

Added to this development, however, the complexity in the chain of command as it relates to the security heads of the federal agencies working under state Governors has always been the major issue of serious concern. By convention, military and police

deployed to manage insecurity emanating from any criminal act such as armed banditry are restricted by some bureaucratic procedures, especially when it comes to moving troops to the security frontline areas. Military Commanders or Police Commissioners in a state affected by these forms of criminalities always insist that no matter how delicate a security alert is, they cannot instruct the deployment of troops under them without receiving orders from their heads in Abuja. This development always causes friction, as Governors become uncomfortable with the modus operandi of federal security forces deployed to their states for security management. As argued by (Mudi 2023), no matter what signal a sitting state Governor or community leaders send about armed bandit attacks in a certain community of Zamfara, for instance, soldiers and police would remain reluctant to provide quick or rapid response to curtail the situation simply because they always have to receive orders from their superior authorities before moving to the scene of the incident. These developments, in his opinion, always give the bandit criminals the upper hand to perfect their heinous criminal acts and go scot-free.

On the side of the state governors, the same constitution empowers them to act as Chief Security Officers of their respective states. The Concurrent Legislative List set out in Part 1 of the Constitution of the Federal Republic of Nigeria 1999 as amended provides that, "the house of assembly of a state can make laws for the peace, order and good government of the state or any part thereof with respect to the following matters. That is to say, (a) any matter that is not included in the exclusive legislative list set out in part 1 of the second schedule to the 1999 constitution as amended."

In June 2022, for instance, the then Zamfara State Governor Bello Matawalle enacted into law an act for the prohibition of armed banditry, cattle rustling, cultism, kidnapping, and other incidental offenses: 2022, which, according to him, would accord him the power to fight armed bandit activities without necessarily waiting for federal government intervention (Vanguard 2022). Governor of Niger State Sani Bello had in July 2021 enacted a similar law titled "Anti-kidnapping and cattle rustling law," which was also aimed at supporting the state government and its agencies to take over the fight against armed bandit activities and punish banditry perpetrators in Niger state without also awaiting the federal government's support or intervention.

These laws existed even when the federal government, through the acts of the national assembly, promulgated other laws that are geared toward terrorism and other complex criminal acts such as banditry. In 2013, for instance, the Federal government through the national assembly promulgated the Terrorism Prevention Act 2013, Terrorism Preventing and Prohibition Act 2022, as well as the Anti-Terrorism Act.

Table (1v) Showing Laws Enacted by State to Fight Banditry

S/No	Name of the Law	Jurisdiction	Year of Enactment
1	Terrorism Prevention Act	Federal Government	2013
2	Terrorism Prevention and Prohibition Act	Federal Government	2022
3	Anti-Kidnapping and Cattle Rustling Law	Niger State	2022
4	Armed Banditry, Cattle Rustling, Cultism, Kidnapping and Other Incidental offenses	Zamfara State	2022

Source: As Compiled by the Author

To add credibility to the decision, some state governments also provided peculiar clauses in their laws to allow for the creation of civilian security guards that are trained and also empowered to make use of arms in either fighting the bandit criminals directly or complementing the efforts of the conventional security agencies.

States like Zamfara, Katsina, Sokoto and Niger State initiated the emergence of these local security operatives in their efforts to douse the tension that surrounded their people as a result of the armed bandit terror activities.

Table (1v) Showing Laws Enacted by State to Fight Banditry

S/No	Name of Security Outfits	State	Number
1	Community Protection Guards	Zamfara	2,645
2	Security Watch	Katsina	550
3	Community Guards Corp	Sokoto
	Forest Guards	Niger	1,500

Source: As Compiled by the Author

Government/Bandits Peace Accord

As regards to the complexity of this development (Maradun 2023) argued, “in my view, state governors should not take it as a do-or-die matter concerning how to end armed banditry. The powers of security and safety of the citizens lie squarely with the government of the center and that is why again, it is the same government that the constitution empowers to own and manage the police, the military, state security operatives and the rest. If state governments in Nigeria could withdraw their hand and allow the federal government to take full charge of the security management,

citizens would barely understand the true dynamics of the security situation and how it is being managed”. (Mudi 2023) argued again that “most of the state governors that are under threat from armed bandits in their respective states are having a conflict over control of security with the federal government agencies simply because they want to hide under the cover of banditry and general insecurity to loot funds in the name of security votes”. To corroborate this argument, (Anka 2024) provides data to showcase the extent of the cash withdrawal state Governors in Nigeria are making from the state treasuries in the name of security votes.

Table (V) Showing Data on Security Votes as Budgeted by States in Nigeria.

S/No	State(s)	Geo-Political Zone	Security Votes Per Month	Security Votes Per Annum
1	Imo	South-East	N333.333 Million	N4 Billion
2	Enugu State	South-East	N600 Million	N7.2 Billion
3	Anambra	South-East	N850 Million	N10 Billion
4	Abia	South-East	N700 Million	N8.4 Billion
5	Ebonyi	South-East	No Record	No Record
6	Cross Rivers	South-South	N500 Million	N6 Billion
7	Rivers	South-South	N1,500 Million	N18 Billion
8	Akwa Ibom	South-South	N1,800 Million	N21.6 Billion
9	Edo State	South-South	N900 Million	N10.8 Billion
10	Delta	South-South	N2 Billion	N24 Billion
11	Bayelsa	South-South	No Record	No Record
12	Lagos	South-West	N17.149 Billion	N17.149 Billion
13	Ondo State	South-West	N600 Million	N7.2 Billion
14	Osun	South-West	N400 Million	N4.8 Billion
15	Ogun	South-West	N900 Million	N1.2 Billion
16	Ekiti	South-West	N100 Million	N1.2 Billion
17	Oyo	South-West	N1 Billion	N12, Billion

18	Borno	North-East	N806.25 Million	N9.67 Billion
19	Yobe	North-East	N316.667 Million	N3.8 Billion
20	Taraba	North-East	N200 Million	N2.4 Billion
21	Bauchi	North-East	N1.417 Billion	N17 Billion
22	Kano	North-West	N0.00	N0.00
23	Kaduna	North-West	N804.8	N4.8 Billion
24	Katsina	North-West	N17.583	N211 Million
25	Zamfara	North-West	N600 Million	N7.2 Billion
26	Benue	North-Central	N3.092 Billion	N37.1 Billion
27	Niger	North-Central	N1.308 Billion	N15.7 Billion
28	Plateau	North-Central	N216.66 Million	N2.6 Billion
29	Kogi	North-Central	N400 Million	N4.8 Billion
30	Nasarawa	North-Central	N100 Million	N1.2 Billion
31	Kwara	North-Central	No Record	No Record

Source: Wikipedia

Way Forward

To chart a way forward, we suggest that the following measures need to be adopted:

- That, there is a need for constitutional review to allow the state to have a more active role in the matter of security management so that boundary crises can be managed to provide a clear sense of direction for effective security management of states and their territories.
- States should recognize the constitutional powers of the federal government for now and desist from initiating ideas that are always in collision with the federal government’s effort to ending insecurity such as banditry, because two strategies by two different actors at a time cannot address a security problem simultaneously.
- State legislation made in respect of the armed banditry conflict shall be made in consultation with the federal legislature so that collision can be avoided, because when the chain of consultation is broken, contradiction is inevitable.
- State Governors should always clear with the federal government on matters regarding planned operations and consolidation of laws and practice that are akin to banditry management.
- There should be an amendment to the rules of engagement that can allow for a softer opening for Governors to give directives to commanders and other heads of security agencies without hiding under some bureaucratic procedures to make the security situation escalate beyond proportion.

Conclusion

From the discussion so far, it is evidently clear that the crises caused by the constitutional powers of who takes care of the management of insecurity , such as banditry between states in

Nigeria and the federal government , remain unresolved, and that until there is a constitutional amendment, the crisis will remain unresolved. The validity of the national assembly enactments to support the fight against armed banditry remains confusing since states have promulgated other laws that are in clear contravention to the constitutional powers of the federal government and that of its security agencies.

The development as now , will continue to constitute borderline crises between states and the federal government of Nigeria because corruption in the security architecture remains a driving force toward escalating spates of banditry violence. Margining the expenditure alleged to have been made in the area of security with the rising spates of insecurity, one should not doubt that the development will remain unresolved until a constitutional and legal synergy is established between the two tiers of government.

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