

THE MENACE OF KIDNAPPING IN NIGERIA: AN EXAMINATION OF THE CONSTITUTIONAL IMPLICATIONS

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Abstract

This work examined the menace of kidnapping in Nigeria been a violation of Section 33,34 and 41 of the constitution of the Federal Republic of Nigeria (as amended).Kidnapping is a global problem that affects countries all over the world and emphasis been laid on Nigeria, which is the focus of this paper. Kidnapping is not new in Nigeria, and has become the biggest challenges facing Nigeria from 2017 up till now. The recent evolution of Fulani herdsmen kidnapping citizens for ransom, which, has led to the loss of lives of many citizens no doubts, needs the prompt attention of our government to profound lasting solution to the menace of this daredevil. The activities of these armed bandits have become a threat to national security. The aim of this work is to have a conceptual understanding of the act of kidnapping and its injurious effect on the fundamental rights of victims. The objective of this work is to determine the implications of kidnapping to Nigeria's national security and also examine the causes, consequences and challenges faced by security agencies in curbing the activities of these bandits and to also investigate the measures being taken by the government to combat kidnapping in Nigeria. Finally, the paper suggests that for the menace of kidnapping to be eradicated in Nigeria, bribery and corruption ongoing amidst security outfits in Nigeria be reduced to the barest minimum. In addition, stricter penalties like imposition of death penalties in cases resulting to death of any person in their custody.

KEYWORDS: Kidnapping, Insecurity, Human Rights, Banditry, Nigeria

I. Introduction

Nigeria from South to West, North to East is plagued by the activities of kidnappers. As of today, “the fear of kidnappers is the beginning of wisdom” for an average citizen of Nigerian. Kidnapping is a national problem that has eaten deep into the nation. It has become a disease diagnosed but with no cure. There is no week in Nigeria as of today that we do not read on newspapers or watch on television the cases of kidnapping in one part of the country. The activity of this beastly creature is an infringement of the fundamental human rights of citizens as entrenched in the 1999 Constitution of the Federal Republic of Nigeria (as amended). It is also a threat to national security. National security is the security of a nation state, including its citizens, economy, and institutions, which is regarded as a duty of government.¹ Section 17 (1)² states that; the state social order is founded on ideals of freedom, equality and justice. Subsection 2 (b) provides that; the sanctity of the human person shall be recognized and human dignity shall be

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¹ National security available at <www.sciencedaily.com>. accessed 16 September 2019

² 1999 Constitution of the Federal Republic of Nigeria (as amended)

maintained and enhanced. Nigeria's experience in the past years of democracy has witnessed a lot of mayhem and several losses of lives, for instance, the kidnapping of members of the public by the Fulani herdsmen amount to infringement of their right as, entrenched in the constitution. Chapter four of the Constitution focuses on the right of a citizen from section 33-43 as follows:

- a. Right to life
- b. Right to dignity of human person
- c. Right to personal liberty
- d. Right to fair hearing
- e. Right to private and family life
- f. Right to freedom of thought, conscience and religion
- g. Right to freedom of expression and the press
- h. Right to peaceful assembly and association
- i. Right to freedom of movement
- j. Right to freedom from discrimination
- k. Right to acquire and own immovable property in Nigeria

The rate of kidnapping in the country has failed to level down due to back up they received from members of the Police Force and even our Armed Forces. Political activities have helped in raising many of our youth to venture into kidnapping. Many youths who have served as a political thug in times of election are neglected after election and since they do not have anything meaningful to do, they engage in kidnapping or armed robbery and they make use of weapons given to them by politicians during elections to carry out their operations. In view of the above, this paper did not only focus on kidnapping as an infringement of Section 33, 34, 35 and 41 of the constitution but also examine the nexus between kidnapping and our political leaders and the security agencies in Nigeria. The fundamental obligation of the Nigerian government is to provide adequate security in the country.

The constitution provides that "the security and welfare of the people shall be the primary purpose of government".³ Insecurity is one of the greatest challenges to economic development in any nation. These menace impinge on the security of lives and property of Nigerians at home and ones in Diaspora who wants to visit their home in other to start a business, which may likely boost

³ S.14(2)(b)1999 Constitution of the Federal Republic of Nigeria (as amended)

our economy. It is also a threat to foreigners who may likely want to invest in the country.

II. Conceptual Review

a. Kidnapping

Kidnapping is derived from “kid”= “child” and “nap”=“snatch”, and was first recorded in 1673.⁴ It was originally used as a term for the practice of stealing children for use as servants or laborers in the American colonies. Kidnapping is the crime of taking away of a person by force, deceit, or threat and detaining that person against their will.⁵ Kidnapping is a crime where the victim is transported a substantial distance or held in a place of isolation with force.⁶ Kidnapping is the taking away of a person by force or fraud, commonly to obtain ransom for his or her release.⁷ In addition, kidnapping is the unlawful seizing and carrying away a person by force or fraud, or seizing and detaining a person against his or her will with an intent to carry that person away at a later time.⁸ Kidnapping is also said to occur when a person, without lawful authority, physically **asports** another person without that other person’s consent, with the intent to use the abduction in connection with some other nefarious objective.⁹

Kidnapping according to Cambridge Dictionary is to take a person away illegally by force, usually in order to demand money in exchange for releasing them.¹⁰ According to Find Law’s team of legal writers and editors, kidnapping is commonly defined as the taking of a person from one place to another against their will, or the confinement of a person to a controlled space.¹¹ Kidnapping is generally defined as the abduction of another person with intent to:-¹²

1. Hold him for ransom or reward
2. Use him as a shield or hostage
3. Accomplish or aid the commission of any felony or flight therefrom

⁴ New World Encyclopaedia, kidnapping available at <www.newworldencyclopedia.org> accessed 16 September 2019.

⁶ What is kidnapping? Available at <www.criminal-law.freeadvice.com> accessed 16 September 2019.

⁷ Kidnapping available at <www.businessdictionary.com> accessed 16 September 2019.

⁸ Kidnapping available at <www.legal-dictionary.thefreedictionary.com> accessed 16 September 2019.

⁹ Ibid.

¹⁰ Kidnapping available at <www.dictionary.cambridge.org> accessed 16 September 2019.

¹¹ Kidnapping available at <www.criminal.findlaw.com> accessed 16 September 2019.

¹² Kidnapping available at <www.definitions.uslegal.com> accessed 16 September 2019.

4. Inflict physical injury upon him, or to violate or abuse him sexually
5. Terrorize him or a third person
6. Interfere with the performance of any governmental or political function

Furthermore, kidnapping is defined as the forcible abduction or stealing away of a man, woman or child from their own country and sending them into another.¹³

The Black's Law Dictionary¹⁴ defines kidnapping as; the crime of seizing and taking away a person by force or fraud. To me, kidnapping is the act of taking another person (man or woman) by force and with the use of intimidation (weapons) for financial gains or as a means of sacrificing for ritual purposes. As of today, Nigeria cannot boast of any form of security as the main objectives of the government. The protection of lives and property of the citizens cannot be met because of the activities of the kidnapers.

i. Ingredients of Kidnapping

Section 360, Indian Penal Code provides that “whoever conveys any person beyond the limits of india without the consent of that person, or of some person legally authorized to consent on behalf of the person, is said to kidnap that person from India.”¹⁵ The Criminal Code¹⁶ (Southern part) and Penal Code ¹⁷(Northern part) in Nigeria also criminalize the act of kidnapping. Section 364 of the Criminal Code provides that:

Any person who-

1. Unlawfully imprisons any person , and takes him out of Nigeria without his consent; or
2. Unlawfully imprisons any person within Nigeria in such a manner as to prevent him from applying to court for his release or from discovering to any other person the place where he is imprisoned, or in such a manner as to prevent any person entitled to have access to him from discovering the place

¹³ What is kidnapping? available at <www.thelawdictionary.org> accessed 16 September 2019

¹⁴ Black's Law Dictionary, (8th Edition Thompson publishing 2004) 886.

¹⁵ What are the ingredients of the offence of kidnapping? available at <www.shareyouressays.com> accessed 25 September 2019.

¹⁶ Cap C38 Laws of the Federation of Nigeria 2004.

¹⁷ Cap P14b Laws of the Federation of Nigeria 2004.

where he is imprisoned; is guilty of a felony, and is liable for imprisonment for ten years.

Section 271 of the Penal Code also provides that:

Whoever takes or entices any person, under fourteen years of age if a male or under sixteen years of age if a female, or any person of unsound mind out of the keeping of the lawful guardian of such person without the consent of such guardian or conveys any such person beyond the limit of the state without the consent of someone legally authorized to consent to such removal, is said to kidnap such person.

From the aforementioned, the ingredients of kidnapping include:

- A. There must be a taking or carrying away of another person
- B. The taking or carrying must be by force or with threat
- C. It must be without the consent of the person been carried away
- D. It must be without lawful excuse¹⁸

b. **Human rights**

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death.¹⁹ According to the United Nations, human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion or any other status.²⁰ Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. M.A Ajomo describing the nature of human right stated that human rights are those rights which human beings enjoy by virtue of their humanity, whether black, white, and yellow or red, the deprivation of which would constitute a grave affront to one's natural sense of justice.²¹

¹⁸ Section 35 (1) of the Constitution of the Federal Republic of Nigeria (as amended) provides that "every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in the following cases and in accordance with a procedure permitted by law".

¹⁹ What are human rights? Available at <www.equalityhumanrights.com> accessed 21 August 2019.

²⁰ What are human rights? Available at <www.un.org> accessed 21 August 2019.

²¹ M A Ajomo, *The Development of Individual Rights in Nigeria's Constitutional History: Individual Rights under the 1989 Constitution* (Nigeria Institute of Advanced Legal Studies 1993) 59.

Men are born with these rights. That is, God gives them to man. These rights are not given by government but by God. The only duty of the government is to serve as a bulwark against its infringement through its judicial arm. Human rights are also fundamental. They are crucial to a peaceful co-existence of members of a community. The supreme sacredness of human rights was emphasized by Justice Kayode Eso, JSC in the case of *Saude v. Abdullahi*²² that those rights are not just mere rights, they are fundamental. In *Ogba v. The State*, the Supreme Court extra-judicially declared that “a fundamental human right is one that cannot be waived by the government or any form of legislation”.²³ Human rights are commonly understood as being those rights which are inherent in the mere fact of being human.²⁴

The concept of human being rights is based on the belief that every human being is entitled to enjoy her/his rights without discrimination.²⁵ Human rights are held by all persons equally, universally and forever.²⁶ Human rights are inalienable as these rights cannot be lose, it is also indivisible; that is, human cannot be denied a right because it is less important or non-essential.²⁷ Human rights in the Virginia declaration of rights in 1776 proclaim that “all men are by nature equally free and independent and have certain inherent rights, of which, when they enter a state or society, they cannot, by any compact, deprive or divest their posterity.”²⁸

III. Categories of Kidnapping

Kidnapping is a crime that is very violent in nature. Kidnapping has become a lucrative venture for some of Nigerians jobless youths. In view of the foregoing, it is imperative to discuss the forms of kidnapping witnessed in Nigeria.

- a) **Basic Kidnapping:** It is the most common form of kidnapping and can be accomplished in any part of the world with minimal preparation, with a relatively low risk of failure. Kidnappers would generally target local businessmen or their

²² [1985] 2 SCNJ 75

²³ [1992] 22 NWLR 1642

²⁴ Definitions and Classifications available at <www.humanrights.is> accessed 22 August 2019

²⁵ Ibid.

²⁶ Human Rights Fundamentals available at <www.hrlibrary.umn.edu> accessed 26 August 2019

²⁷ ibid

²⁸ Human Rights available at <www.businessdictionary.com> accessed 26 August 2019

families. The kidnappers' goal is a fast easy pay off. Generally, the ransoms requested are relatively easy for the victim's family or company to obtain.²⁹

- b) **Express Kidnapping:** It is one of the hottest forms of kidnapping in Ondo and Ekiti State in Nigeria and is on the rise. This is because the roads leading to and from Ekiti and Ondo States are lonely, untarred, in a serious state of utter disrepair and altogether unsafe for commuters. The kidnappers thus lay ambush to abduct unwary passengers along the route. A victim is typically an unsuspecting volunteer who gets into a taxi. It need be say that many of the victims of this form of kidnapping are covetous human beings. The driver picks them up with few other passengers and after a short distance, the driver begins to act strange and start questioning one of the passenger and accusing him/her of moving around with a huge amount of money.

The passenger in return seeks for spiritual assistance of other passengers in the taxi as the money has been charmed. The perpetrator then takes the victim to an unknown destination. The victims in this category are rob of their valuables (money, phones and jewelries). Some of the victims are taken to Automated Teller Machine (ATM) locations and made to withdraw maximum limits.³⁰ The victims are instructed not to speak to anyone and that if they do, they will vomit blood and die. It is pertinent to point out that, many of the victims are held overnight and this is an outright violation of Section 41 of the Constitution. It is also important to note that the kidnappers rape female victims and amounts to infringement of their right to dignity of human person.³¹

c. **High net worth individual kidnapping:**

Experienced or professional gangs execute these types of kidnapping. It is strategically planned and requires surveillance and information gathering. The target is tailed for a while to know his movement schedule and if he has any form of security attachment.³² This period is a period of waiting to determine the best for the kidnappers to shoot their shot. After the victim has been taken, the kidnappers interrogate him to know his/her source of income and how much he/she

²⁹ O.Danwi-Osaro, Basic kidnapping available at <www.academia.edu> accessed 17 September 2019

³⁰ Types of kidnapping available at www.usssinc.com accessed 16 September 2019

³¹ Section 34, 1999 Constitution of the Federal Republic of Nigeria (as amended)

³² Types of kidnapping available at www.threatrate.com accessed 16 September 2019

has in his/her bank account. Following this, his/her family or employer is contacted and the ransom demanded made known to the family or employer. After the demand, a negotiating process occurs in order to beat down the amount demanded to what the family can afford. Generally, after the payment of ransom, victims are released. However, some victims are killed even after the payment of ransom.

d. Political/terrorist kidnapping:

This type of kidnapping is to make negotiations with the government. Terrorist organizations use this form of kidnapping to make political statements, negotiate the release of their members in government detention and to also fund their organizations.³³ Political kidnapping gained prominence with the political strives of militants of the Niger-Delta region of the South-South Nigeria. The aim of this group was to make their grievances known to the Federal Government on the dilapidated state of their region. The people against the government and oil companies initially used kidnapping in the region as a weapon of protest by kidnapping expatriates and government officials or their families for the degradation of their environment and the neglect of the region by the Federal Government.

In addition, terrorist group also kidnap school pupils, aid workers, government officials and expatriates to make negotiations with government or make political statements. The kidnapping of Chibok schoolchildren was a ploy by the terrorist group to register their discountenance against western education in the Northern part of Nigeria. On a hot night in April of 2014, hundreds of fighters with the jihadist group Boko Haram descended on the town of Chibok, rounded up 276 Students at the Government Girls' Secondary School, and drove the girls into the Sambisa Forest.³⁴ In addition, on February 19, 2018 at 5:30pm, the Boko Haram terrorist group invaded the Government Girls' Science and Technical College in Dapchi, Yunusari Local Government Area of Yobe State, kidnapped 110 Schoolgirls.³⁵

IV. Incidences of Kidnapping in Nigeria that amounts to Outright Violation of Right to

³³ Types of kidnapping available at <www.usssinc.com> accessed 16 September 2019.

³⁴ F Diep, The True Story of the Nigerian Schoolgirls who Survived Boko Haram available at <www.psmag.com> accessed 23 September 2019.

³⁵ Dapchi schoolgirls kidnapping available at <www.economist.com> accessed 23 September 2019.

Life

Kidnapping has led to the loss of lives in recent time. Many of the victims of the crime have been killed in the course of abduction and some after payment of ransom. A few instances of kidnapping that has amounted to violation of Section 33 of the Constitution of the Federal Republic of Nigeria (as amended) will substantiate the acts perpetrated by these dreaded criminals in Nigeria. On 2 January 2019, two council staff, pastor A Onaade, an Administrative Officer and O Fashina, a Primary Health Care Official were kidnapped along Ikere-Ise-Emure road while returning to Akure. However, an accountant with the local government, Mr Abayomi Ajayi was unlucky as the gunmen shot him dead on the spot.³⁶

Again, a kidnapped incident in Osun State left one dead. The incident that occurred on 4 December 2018 left one dead on the spot. The gunmen was reported to have blocked the Esa-Oke road leading to the campus at about 4 p.m which happens to be the closing time of the institution on the said day and stopped several vehicles before abducting some of the occupants.³⁷

In another incident, a lecturer at the Rufus Giwa Polytechnic, Owo has been found in the bush days after been kidnapped. The deceased was kidnapped alongside with three victims who were members of staff of the Federal Medical Centre, Owo. The deceased identified as Taiwo Akinyemi was reportedly found dead in the kidnappers' den tied to a tree. The deceased was allegedly killed for failure on the part of his family to pay the ransom demanded on time.³⁸

Professor Gideon Okedayo, a senior lecturer at the Ondo State University of Science and Technology (OSUCTECH), was kidnapped on Igara Road in Akoko Edo Area of Edo State while travelling to his hometown. The dead body of the professor was later found inside a bush. The kidnappers' was reported not to have contacted the deceased family till his dead body was found.³⁹

What is more worrisome is that these kidnappings happen during the light of the day and even more worrisome is the presence of security outfits arrayed on these routes and criminals like the abductors of the aforementioned still carry out their operation successfully. Every life is worth

³⁶ A Nejo, Kidnapped Ekiti Council Officials Regain Freedom available at <www.punchng.com> accessed 23 September 2019

³⁷ Gunmen kill one, kidnap four Osun college workers available at <www.channelstv.com> accessed 24 September 2019

³⁸ P Dada, Ondo Poly Lecturer dies in kidnappers' den available at <www.punchng.com> accessed 24 September 2019

³⁹ Breaking: Kidnapped Ondo University Professor Found Dead available at <www.saharareporters.com> accessed 24 September 2019

the cost as no human being is useless. It must be noted that the victims of these violations are citizens of the country, that is, everyone has a right to life, and no one shall be deprive intentionally of his life.⁴⁰ It is important to note at this point that Governments must through the institution of the law enforcement and security agencies discharge their duties of providing adequate security, protecting lives and properties of the people which they govern.

V. Incidences of Kidnapping that Impinge Right to Dignity of Human Person and Right to Personal Liberty

The right to dignity of human person and the right to life as entrenched in section 34 and 35⁴¹ is daily infringed upon by the activities of the kidnapers on our major roads in Nigeria. The incidence of kidnapping has been taking place in Nigeria over the years and is on the rise from the last two years due to the activities of the insurgents (Boko Haram, Fulani Herdsmen). A Nigerian in Diaspora has given her account of horror she went through in the kidnapers' den. The woman alongside with her husband and a nine-year-old daughter were kidnapped shortly after the Ijare junction. The woman gave an account of how the kidnapers shot at their car and marched them into the bush. According to her, she was hit at the chest and her daughter was hit on the head.

She also said one of the men tore her dress with his gun and she was left with her underwear. The kidnapers' was reported to have given them option of who should be raped amidst the three of them. What can be more degrading than this inhumane act of this beast? The woman made herself the sacrificial lamb and became the relic and a sexual museum for the armed men in other to save her nine-year-old daughter.⁴² What can be more traumatic than this horrible event? For a husband to witness the rape of her legally wedded wife and not able to do anything to rescue her. What can be more anguishing than this event?

Section 34 (1) of the Constitution provides that; "every individual is entitled to respect for the dignity of his person, and accordingly-

- a) No person shall be subjected to torture or to inhuman or degrading treatment;

⁴⁰ Section 33(1) of the Constitution of the Federal Republic of Nigeria (as amended) provides that; "every person has a right to life, and no one shall be deprive intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria".

⁴¹ 1999 Constitution of the Federal Republic of Nigeria (as amended)

⁴² Horror in Kidnapper's Den (A Must Read) available at < www.thenigerianvoice.com> accessed 25 September 2019

- b) No person shall be held in slavery or servitude; and
- c) No person shall be required to perform forced or compulsory labour.

In another story, tears gush out of a twenty-year-old victim named Joy while recounting her ordeal in the hands of kidnappers. She was abducted for five (5) hours along Benin-Ore road on her way to Enugu, the Eastern part of Nigerian from Lagos. According to her, while in the bush, the kidnappers' brutally assaulted her and she sustained terrible degrees of injuries. In addition, a Female Senior Lecturer in one of the Tertiary Institutions in Rivers State, also gave an account of her ordeals in the hands of kidnappers. She recounted how she was raped in the forest of Emohua Local Government Area of Rivers. The victim who was reported to have been kidnapped from her home on 30 April 2019 around 8pm. Her home was looted and cash was transferred to them.⁴³ The inhumane act meted on this people amounts to violation of their right as entrenched in the Constitution.

VI. Causes of Kidnapping

In Nigeria today, anybody can be kidnapped. Kidnapping has no regard for gender, age, religion, economic status, colour or nationality. Politicians, civil servants, lecturers, royal fathers, clergymen, traders, peasants, schoolchildren etc. can be kidnapped at any time. Kidnapping has continued to thrive in Nigeria because of poor security arrangements and poor democratic process. There are many causes of kidnapping in Nigeria today and some of the causes will be discussed. Nigeria has the label of having one of the world's highest levels of corruption. A society where corruption is on the high side is likely to experience a high level of kidnapping. For instance, if a government is corrupt or not satisfying members of a region, the government official or family members can be kidnapped in order to make their grievances known to the government.

As earlier noted in this work, the activities of kidnapping in the Niger-Delta region of Nigeria was used as a weapon of protests by the people of the Niger Delta area against the government and the Oil Producing companies for the degradation of their environment and the neglect of the region by the Federal Government. The initial target and victim were the expatriate workers and high profile government officials. The criminals and particularly those that have

⁴³ A Anagor-Ewuzie Chilling Tales by Kidnap Victims: who will end the misery? available at www.businessday.ng accessed 25 September 2019

taken kidnapping as a profession are alleged to be former employees of politicians. They were trained as political thugs and after election; they were abandoned to exist with the weapons given to them. The politicians are culpable for every act of terrorism in Nigeria. For instance, the kidnap kingpin (Alhaji Hamisu Bala Wadume) whose arrest brought about the loss of three police officers attached to the Intelligence Response Unit of the Inspector General of Police of Nigeria while interview disclosed that he is not a kidnapper but a political thug and supplier of weapons for kidnappers.⁴⁴

In addition, poverty is another cause of kidnapping in Nigeria. According to United Nations on poverty, poverty is a denial of choices and opportunities, a violation of human dignity. It means lack of basic capacity to participate effectively in society.⁴⁵ Anyone who lives below US\$1.90 a day is living below the poverty line. An average Nigerian is living below the United Nations poverty line (as of today, the Nigerian minimum wage is ₦18,500 monthly, that is, ₦18500 divided by 30 = ₦616 per day whereas US\$1.90 in Nigerian currency is ₦684.95). The main intention of kidnappers is to obtain ransom (money). Many Nigerians who ventured into crime do it in order to cater for their family and also to feed, clothe and provide shelter for themselves.

Moreover, unemployment is another cause of kidnapping in Nigeria. A proverb says, “an idle hand is the devil’s workshop”. A person who does not have any job tends to result to crime. Kidnapping is either for financial or political benefit. Prior to this time, victims of kidnap are always oil expatriates or government officials but in recent times, locals who are financially incapable of fending for their families are kidnapped and turn to beggars in order to pay for ransom required. People like this can also result to kidnap to save their own in the kidnappers’ den. In addition, kidnapping has become quite a lucrative and many youths see it as a business model. A cash-strapped unemployed person may believe that when he kidnaps someone who is rich, he may be able to become rich himself.⁴⁶

Furthermore, greed and desperation is another cause of kidnapping in Nigeria. My friend is riding 2019 Toyota Highlander car and I want to ride the same model has led many Nigerian to involve themselves in criminal activities. However, the question to be asked here is why would a

⁴⁴ I supply weapons, I am not a kidnapper: Hamisu Bala Wadume Story available at <www.pmnewsnigeria.com> accessed 26 September 2019

⁴⁵ United nations definition of poverty available at <www.tolerance.org> accessed 26 September 2019

⁴⁶ O Uzochukwu, Kidnappings: Overview, Causes, Effects, and Solutions available at <www.owlcation.com> accessed 24 September 2019

mother kidnap her daughter? Why would a father kidnap or participate in the kidnap of his wife? Biblically, the love of money is the root of all evil: which while some coveted after, they have erred from the faith, and pierced themselves through with many sorrows.⁴⁷ If not for greed, why would a pastor kidnap himself and demands ransom from member of his church. Adewuyi Adegoke, a Pastor at Methodist Church, Ado-Ekiti, Ekiti State has been arrested for organizing his own kidnap.

It was gathered that Adegoke had arranged with one Oluwadare Sunday to fake his kidnap and demand ₦3million ransom from his congregation.⁴⁸ In a related development, a 21-year-old man was recently arrested in Delta State, for faking his kidnap in a bid to collect money from his rich uncle in order to complete his father's house in the village and to celebrate Christmas and New Year in a big way.⁴⁹

Illiteracy is another cause of kidnapping in our country Nigeria. According to Cambridge dictionary, illiteracy is a lack of the ability to read and write. It is also lack of knowledge about a particular subject.⁵⁰ Illiteracy limits ability of an individual to have knowledgeable facts of things happening around. Illiteracy largely limits the reasoning ability of illiterates. Although, many illiterates have native intelligence, but research suggests that some illiterates are not enlightened and as such unable to realize many of the consequences of their actions and inactions. For instance, Boko Haram uses people who are poorly educated as suicide bombers. They can be abducted from their houses and trained to be suicide bombers.⁵¹ These set of people are allegedly manipulated by their abductors and influenced by money. They are made to understand that killing according to their religion is right thing to do. Thus, since they can neither read nor write they believe everything completely.

Conclusively, kidnappings can be motivated by politics or religion. People in politics can use the tactics of kidnapping to silence their opponent and put them in disarray to drop their political ambition in order to save their children or spouse. In this case, ransom can be demanded from the family of a kidnapped victim so as to raise fund for their political activities. It is also

⁴⁷ 1 Timothy 6 v 10

⁴⁸ T Yakubu, Extra: Ekiti pastor 'kidnaps self', demands ₦3m from congregation available at <www.thecable.ng> accessed 26 September 2019

⁴⁹ D Joseph, Self-abduction: Another Face of Kidnapping? available at <www.leadership.ng> accessed 26 September 2019

⁵⁰ Illiteracy available at <www.dictionary.cambridge.org> accessed 26 September 2019

⁵¹ G Ibenegbu, 5 causes of kidnapping in Nigeria and possible solutions available at <www.legit.ng> accessed 26 September 2019

conducted to obtain political concessions from security forces or governments, rivalry political parties and the kidnapers own political party.⁵² Kidnapping can be religious in nature because of the groups' fundamentalist Islamic beliefs. Their purpose is to institute Sharia, or Islamic law in Nigeria. The meaning of their name is "western education is forbidden".⁵³ This explains why they continually target schoolchildren. For instance, the kidnap of 276 children from Chibok in Borno State in 2014 and 110 children from Government Girls Science and Technical College, Dapchi in Yobe State in 2018.

VII. Effects of Kidnapping

Kidnapping survivors face a lot of effect after enduring physical, emotional and mental abuse. The effects of trauma can vary widely from person to person due to individuals' responses to stress, age and severity of abuse. Victims of kidnapping suffer from an array of psychosomatic illnesses, eating disorders, insomnia, chronic pain and mental health problems like posttraumatic stress disorder. The major effect of kidnapping is the financial debt incurred by members of the victims' family while in captivity in order to pay ransom demanded by the kidnapers. Money is borrowed from family, friends and loans obtained from the banks and cooperative societies to secure his release. The community may be forced to spend money in hiring guard or private security to protect the environment from further occurrence of such incidents.⁵⁴ The Government of the State may be forced to spend more on security rather than increasing spending on physical development of the State.⁵⁵ For instance, spending on providing basic amenities that will enhance boost in the economy of the State.

Many victims of kidnapping suffer from post-traumatic stress disorder (PTSD). Post-traumatic stress disorder is a mental health condition that is triggered by a terrifying event-either experiencing it or witnessing it.⁵⁶ It causes the victim to have recurrent memories or thoughts of the trauma, recurrent dreams depicting various aspects of the trauma and dissociative symptoms

⁵² Political kidnapping available at <www.theguardian.com> accessed 26 September 2019

⁵³ Boko Haram Fast Facts available at <www.cnn.com> accessed 26 September 2019

⁵⁴ J.D Inyang and U.E Abraham, 'The Social Problem of Kidnapping and its Implications on the Socio-Economic Development of Nigeria: A Study of Uyo Metropolis' (2013) 4 (6) Mediterranean Journal of Social Sciences available on <www.researchgate.net> accessed 26 September 2019

⁵⁵ *ibid*

⁵⁶ Post-Traumatic Stress Disorder (PTSD) available on <www.mayoclinic.org> accessed 27 September 2019

such as flashbacks of the severe beatings or a feeling that they are outside of their body. In addition, victims suffer from anxiety because of violence meted to them while in the kidnappers' den. Some members of family of a victim who lost his/her life in the den of kidnappers depends solely on alcohol, many are feel with suicidal thoughts and unable to function properly while some even collapse and died on the spot on hearing the news of death of the victim.

Conclusively, victims that are raped by the kidnappers can contract sexually transmitted disease. For instance, life-threatening diseases like; Human Papillomavirus (HPV), Herpes, Human immunodeficiency Virus (HIV), Chlamydia, Syphilis, Gonorrhea, Trichomoniasis. The first three aforementioned cannot be cured while the last ones can be curable with early detection and treatment.

VIII. Recommendations

Having discussed the causes and effect of kidnapping in Nigeria, it is imperative to recommend the following:

1. Job Creation

Unemployment is one of the causes of kidnapping in our dear Nation. It is paramount that the Government creates more jobs targeting our youth in order to shield them away from crime. Section 17 (3) (a) of the Constitution of the Federal Republic of Nigeria as amended provides that; "the state shall direct its policy towards ensuring that- all citizens, without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment." It is important that our government live up to this responsibility.

2. Adequate Funding of Security Agencies

The Government has a lot of work to do in other to redeem the image of Nigeria security agencies. The most important is the provision of necessary equipment's to work well and efficiently (sophisticated weapons and ammunitions). The era of police officers buying uniforms, boots should end. The agency needs to be well kitted and retooled with superior weapons and ammunitions with which they can fight this daredevil. Their salaries and allowances should be enhanced and paid as and when due in order to avoid corrupt practices practiced by them especially in the areas of being kidnappers' informant. Many of our security are on the payroll of this kidnap

kingpin. For instance, an Army Captain, Musa Balarabe who ordered the shooting of the police officers in Taraba is reported to be on the payroll of the notorious kidnap kingpin, Alhaji Hamisu Wadume.

3. Deployment of Technology

There is a need for Nigeria to copy technological advancement of developed countries of the world in the installation of closed-circuit television cameras in all the nooks and crannies of our country. It is essential for the detection of crime. For instance, if not for the installation of closed-circuit television cameras in the hotel in Rivers State where the serial killer was operating; his arrest would not have been possible.

4. Creating Efficient Database

There is a need for the creation of database for people living in the country in a central location and not depend on database of some agencies (Federal Road Safety Corps, Internal Revenue of States) to harness information. Rather, there is the need for the National Security Agency (NSA) to develop a fingerprint and visual recognition database for all citizens. This would allow for easy detection of criminals and eventually reduce crime to the barest minimum.

5. Public Sensitization on Kidnapping

Non-Governmental organizations should embark on awareness campaign to sensitize people on how to avoid been kidnapped and offer serious counseling or therapy for victims of kidnapping and family members who has lost a son, daughter, father or mother to the menace of kidnapping. This is ongoing in many States in Nigeria but there is a need for this awareness campaign to be intensified across the States of the country.

6. Imposition of Stricter Penalties

IT is suggested that stricter penalties should be imposed on kidnappers. Kidnappers should be sentenced to life imprisonment and death sentence should be imposed if a victim dies in the kidnappers' den. For instance, Oyo State Kidnapping Prohibition Bill 2016 prescribes life imprisonment for any person who engages in kidnapping and death sentence for any kidnapper whose victim(s) dies while in captivity. A convicted offender whose victim is released or rescued unhurt upon the payment of a ransom, will be liable to life imprisonment and be compelled to pay

back the ransom.

Kidnapping (Prohibition) Law of Lagos State 2017 provides that “any person who instill’s fear in another for the purpose of kidnapping through coercion or by any other means against that person’s will with intent to demand ransom; commits an offence, and is liable on conviction to life imprisonment”. On the other hand, section 2(2) provides that where death occurs as a result of the commission of the offence of kidnapping, the offender(s) shall be liable on conviction to death sentence. Furthermore, apart from the above listed States, many other States in Nigeria have made kidnapping a capital offence.

7. Confiscation of Illicit Properties

The properties of these kidnapers’ should be confiscated. This will serve as deterrence to other members of the public whose intention is to venture into this business. The Nigeria Police Force has confiscated properties of a late-suspected kidnapper Collins Ezenwa known as E-Money in Enugu State. Items confiscated by the law enforcement agency include 10 cars, 13 houses, 3 AK-47 rifles, 2 tippers, a truck and other things.

8. Anti-Corruption War

There is a need for declaration of war against corruption in Nigeria. The fight against corruption should be intensified most especially amidst our security agencies. This war has been declared and the trial of some senior military or officers in the security agencies are ongoing. Examples of this officers include but not limited to Dasuki, Badeh.

IX. Conclusion

Kidnapping is an outright violation of the fundamental rights of citizens in Nigeria. The issue of kidnapping has spread across all States in Nigeria. This act of kidnapping in the South-West has however been on the high side since 2018. This paper has conceptualized kidnapping, discussed the causes and the effects on the victim and even the family members of the victim. The activity of kidnapping has brought to the fore the inefficiency of our government and security outfits in Nigeria as a result of their inability to curb the activities of the kidnapers which obviously has led to the loss of lives of many citizens.