

STRENGTHENING LEGAL RESPONSES TO FOOD AND SECURITY CRISES IN NIGERIA: TOWARDS AN INTEGRATED GOVERNANCE FRAMEWORK

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Abstract

Nigeria faces a deepening convergence of food insecurity and violent conflict, posing significant threats to national stability, livelihoods, and sustainable development. Legal and institutional responses to these dual crises have often been fragmented, reactive, and poorly coordinated. This paper explores how a coherent, integrated governance framework—rooted in robust legal foundations can enhance Nigeria's capacity to effectively address the complex interplay between food systems and security challenges. The study critically examines existing legal instruments such as the Land Use Act, National Security Agencies Act, Agricultural Promotion Policy, and Disaster Risk Management frameworks. It interrogates the institutional roles and jurisdictional overlaps among federal, state, and local actors tasked with ensuring food security and public safety. Drawing from comparative legal approaches and international best practices, the paper advocates for a harmonized legal architecture that promotes collaboration across sectors, clarity in mandates, and rights-based interventions. Key recommendations include constitutional reforms to clarify responsibilities across tiers of government, the establishment of specialized food-security and conflict-resolution courts or tribunals, and the mainstreaming of environmental and climate-related legal tools. By proposing a more integrated and responsive governance model, this paper contributes to a multidisciplinary dialogue on legal innovation as a strategic pillar for addressing Nigeria's food and security crises.

Keywords: Food Security; Legal Frameworks; Governance; Conflict Resolution; Nigeria

1. Introduction

Food is a fundamental human right and the cornerstone of social stability. The United Nations Food and Agriculture Organization (FAO) defines food security as a condition in which “all people, at all times, have physical, social, and economic access to sufficient, safe, and nutritious food that meets their dietary needs for an active and healthy life.” In Nigeria, this aspiration remains far from reality.

In 2024, the FAO's Cadre Harmonisé Report estimated that 26.5 million Nigerians would face acute food insecurity by the end of the year, with about 9 million children at risk of severe malnutrition. The country's worsening food crisis stems not only from climatic and economic shocks but also from legal and institutional deficiencies.

Agricultural production is severely disrupted by insecurity in the North-West and North-Central regions, floods in the Niger Delta, and droughts in the North-East. Inflation, currency volatility, and fuel price hikes have further eroded purchasing power. In response, successive governments have launched food security programs, tariff exemptions, and emergency palliatives. However, these efforts are often uncoordinated, transient, and weakly grounded in law.

The aim of this paper is therefore to evaluate Nigeria's existing legal responses to food insecurity and to propose an integrated governance framework that consolidates rights-based, institutional, and policy interventions into a coherent and enforceable structure.

2. Legal and Policy Frameworks on Food Security in Nigeria

Nigeria's legal and policy responses to food and security crises are scattered across multiple instruments, institutions, and levels of government. The following are key legislative and policy developments relevant to food governance.

2.1 The Right to Food Act, 2023

The Right to Food Act marks a historic milestone in Nigeria's legal recognition of food as a human right. It seeks to guarantee citizens' access to adequate food and nutrition, obligating public institutions to promote, protect, and fulfil this right. The Act also establishes institutional mechanisms for policy coordination and monitoring.

However, despite its significance, the Act's implementation remains weak. Many states have not domesticated its provisions, and no independent enforcement mechanism has been established. The Act lacks explicit remedies for rights violations, leaving citizens without clear avenues for redress when food entitlements are denied.

In comparison, South Africa's Constitution (Section 27) explicitly guarantees the right to sufficient food and allows for judicial enforcement. Similarly, India's National Food Security Act (2013) institutionalized entitlements through justiciable mechanisms and grievance redressal systems. Nigeria's Right to Food Act must evolve towards such enforceability.

2.2 The Livestock Development Policy (2025)

Launched in October 2025, this policy aims to modernize Nigeria's livestock production systems, improve feed and fodder supply chains, and promote employment and food self-sufficiency. It provides for the regulation of grazing, land access, animal health, and value-chain financing. The policy also addresses the chronic conflict between farmers and herders by introducing structured ranching and settlement programs.

Nevertheless, without legislative backing, policy instruments remain aspirational. A Livestock Development Bill, currently under consideration, would provide legal teeth to these reforms by defining institutional roles, penalties, and funding sources.

2.3 The Biofortified Crop Regulations (2025)

These regulations introduced mandatory biofortification standards for key crops such as maize, cassava, and rice. The purpose is to address micronutrient deficiencies and improve national nutrition outcomes. The initiative aligns with Nigeria's commitments under the African Union's Comprehensive Africa Agriculture Development Programme (CAADP).

However, enforcement remains a challenge. The Standards Organisation of Nigeria (SON) and the National Agency for Food and Drug Administration and Control (NAFDAC) lack the capacity to monitor compliance across thousands of small-scale producers.

2.4 Customs, Excise, and Tariff Variation Orders (2024)

In 2024, the Federal Government introduced tariff waivers and VAT exemptions on essential agricultural imports to reduce food inflation and support local farmers. While this measure temporarily alleviated market shortages, it remains a short-term fiscal tool rather than a structural reform.

Moreover, excessive reliance on import relief risks discouraging domestic production, creating long-term dependence rather than sustainability.

2.5 The Nutrition 774 Initiative and Subnational Policies

The Nutrition 774 Initiative, launched in 2024, seeks to institutionalize nutrition interventions across all 774 local government areas. It provides an entry point for integrating nutrition into local governance structures. Some states—such as Lagos, Kaduna, and Kebbi—have already enacted complementary agricultural and nutrition policies.

However, the absence of uniform national coordination means that policy implementation remains inconsistent, with overlapping jurisdictions among the Federal Ministry of Agriculture and Food Security, Federal Ministry of Environment, and National Council on Nutrition.

3. Legal and Institutional Gaps

Despite commendable initiatives, Nigeria's food security laws remain fragmented, under-enforced, and poorly harmonized. The following gaps are particularly significant:

3.1 Weak Enforcement and Institutional Accountability

While the Right to Food Act proclaims noble objectives, it provides no clear enforcement mechanism. There are no penalties for government agencies that fail to meet obligations, and citizens cannot directly invoke the right in court. In contrast, South African courts have upheld food rights in cases such as *Grootboom v. Government of the Republic of South Africa* (2000) 11 BCLR 1169, reinforcing the justiciability of socio-economic rights.

3.2 Fragmentation of Legal Frameworks

Food security issues are governed by a multiplicity of statutes—the Land Use Act (1978), Environmental Impact Assessment Act (1992), National Agricultural Seeds Act (2019), and National Food Security Council Order (2017)—yet these instruments operate in isolation. The lack of a harmonized framework leads to duplication, inefficiency, and conflicts of jurisdiction between federal and state institutions.

3.3 Inadequate Legal Integration of Climate and Security Concerns

Climate-induced disasters—such as floods, droughts, and desertification—now directly affect food production and distribution. However, existing environmental laws fail to link these phenomena with food governance. The National Climate Change Act (2021) provides a potential framework for integration, but it has not yet been operationalized in agricultural planning.

Similarly, insecurity in major food-producing regions, particularly in Benue, Plateau, and Zamfara, continues to destroy farmlands and displace farmers. Yet, Nigeria lacks a legal mechanism for agricultural recovery or compensation for victims of rural violence, as exists in Kenya's Agricultural Insurance and Compensation Scheme.

4. Towards an Integrated Governance Framework

To strengthen Nigeria's legal response, a multi-layered governance framework must be developed, combining **rights-based**, **institutional**, **environmental**, and **economic** dimensions.

4.1 Rights-Based Legal Foundation

The Right to Food Act should be amended to:

- i. Create a Food Rights Commission with powers to investigate violations, monitor compliance, and initiate litigation.
- ii. Enable individuals or communities to bring public interest suits when food rights are infringed.
- iii. Include obligations of progressive realization, similar to Article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

4.2 Institutional Harmonization

All agencies with overlapping mandates—Agriculture, Environment, Trade, Health, and Humanitarian Affairs—should operate under a unified National Food Security Coordination Council with statutory authority to enforce inter-agency cooperation.

This structure would align with the African Union's *Malabo Declaration (2014)*, which calls for multi-sectoral coordination in achieving food security.

4.3 Climate and Security Integration

Nigeria must legislate Agricultural Disaster and Compensation Mechanisms, linking food security law with the Climate Change Act and the National Emergency Management Act. This would ensure that farmers affected by floods, droughts, or insecurity receive prompt relief and support.

4.4 Trade and Market Regulation

To curb speculative pricing and hoarding, Nigeria's Price Control Act (Cap P28, LFN 2004) should be revised to include staple foods and allow dynamic monitoring. Export restrictions, such as those proposed for unprocessed maize and cassava, should be legally framed to protect national food supply while remaining compliant with WTO obligations.

4.5 Strengthening Subnational Capacity

Food security must be treated as a concurrent legislative subject, allowing states to enact local food and nutrition laws consistent with national policy. Local governments should be empowered through the *Nutrition 774 Initiative* to plan, budget, and enforce community-level food programs.

5. Comparative Insights

International experiences reveal that robust legal frameworks are central to sustainable food security.

- a) India's National Food Security Act (2013) entitles every household to subsidized grains and creates grievance redressal mechanisms.
- b) Brazil's Fome Zero Program integrates social protection, agricultural support, and legal guarantees.
- c) South Africa's constitutional recognition of socio-economic rights has made food access enforceable in court.

Nigeria can draw on these models to move from policy rhetoric to legally enforceable rights.

6. Recommendations

- i. Operationalize the Right to Food Act with enforcement mechanisms and citizen access to justice.
- ii. Amend and harmonize agricultural, environmental, and trade laws to eliminate overlaps.
- iii. Integrate climate adaptation into food security legislation.
- iv. Establish a National Food Security Fund, legally protected from political interference.
- v. Empower states and local governments through domestication and capacity-building.
- vi. Develop a Food Security Early Warning Law mandating real-time monitoring of climate, conflict, and market indicators.
- vii. Promote public participation by legally requiring community consultation in agricultural planning.

7. Conclusion

Nigeria's food crisis is not merely a question of production or economics—it is fundamentally a legal and governance problem. Laws define responsibilities, rights, and accountability mechanisms. Without a coherent legal framework, government policies will continue to fail.

An integrated governance system, rooted in enforceable food rights, harmonized institutions, and climate-resilient legislation, offers the only sustainable path to ending hunger in Nigeria. As global experience demonstrates, the rule of law—properly applied—can transform food security from a political aspiration into a lived reality for every Nigerian.

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