

An Assessment of The Legal and Institutional Framework for Drug Regulation and Control in Nigeria: Effectiveness, Challenges, And Policy Implications

OKAFOR NDUBUISI¹, PROF. OGBAINI ALIU CLEMENT², RASAKI RASHEED OLAKUNLE³,
AKPOR AFAM⁴

^{1, 3, 4}Global Wealth University, Lome Togo

²Unique Open University, Lagos

Abstract- This study examines the effectiveness, challenges, and policy implications of Nigeria's legal and institutional framework for drug regulation and control, with particular emphasis on the 2025 amendments to the NDLEA Act and their alignment with international drug control standards. Anchored in institutional theory and deterrence theory, the study assesses the operational effectiveness of key regulatory bodies—NDLEA, NAFDAC, and the Pharmacists Council of Nigeria (PCN)—while also exploring systemic, socio-economic, and security-related factors affecting drug control outcomes. Using a descriptive and explanatory mixed-methods design, primary data were collected through questionnaires and structured interviews from a purposively selected sample of 200 respondents drawn from law enforcement agencies, health and legal professionals, academics, and drug traders. Data were analyzed using descriptive statistics and Chi-square inferential analysis, with reliability confirmed through Cronbach's Alpha (≥ 0.70). The findings indicate that although Nigeria's drug control laws are largely comprehensive, their practical effectiveness is constrained by weak enforcement, institutional capacity deficits, judicial delays, corruption, and porous borders. The study further reveals no statistically significant relationship between the existing legal-institutional framework and effective control of illicit and substandard drugs, confirming a persistent implementation gap. The study concludes that effective drug control in Nigeria requires integrated reforms emphasizing institutional strengthening, improved judicial efficiency, public health-oriented approaches, and enhanced inter-agency and regional cooperation.

Key words: Drug Regulation; Institutional Framework; NDLEA; NAFDAC; Drug Control.

I. INTRODUCTION

The regulation and control of narcotic drugs and controlled substances represent a critical intersection

of public health, national security, and jurisprudence. In the Nigerian context, the proliferation of illicit drug trafficking and substance abuse has evolved from a localized concern into a national crisis, necessitating a robust legal and institutional response. This paper assesses the mechanisms designed to govern drug use and distribution, evaluating their efficacy in a landscape marked by evolving criminal tactics and socio-economic vulnerabilities.

Nigeria's journey with drug regulation began during the colonial era with the Dangerous Drugs Ordinance of 1935, which focused primarily on controlling the movement of opium and cocaine. Following independence, the nation witnessed a surge in the transit of illicit substances, leading to the enactment of the Indian Hemp Act of 1966. However, the most significant shift occurred in response to the international "War on Drugs" in the late 1980s. This culminated in the establishment of the National Drug Law Enforcement Agency (NDLEA) via Decree No. 48 of 1989, and the National Agency for Food and Drug Administration and Control (NAFDAC) in 1993. These institutions were birthed to transition Nigeria from a mere transit hub to a nation with a proactive, domestic regulatory and enforcement posture.

The issues of drug trafficking and abuse are not confined by national borders; they constitute a global security threat. Transnational drug syndicates utilize sophisticated networks that undermine the financial integrity of nations through money laundering and corruption. Globally, the World Drug Report (2023) indicates a 23% rise in drug use over the past decade. For Nigeria, being a strategic point in the African transit route, any failure in domestic regulation resonates internationally, affecting global supply

chains and tarnishing the nation's diplomatic standing and security partnerships.

Previous research has highlighted a persistent gap between policy formulation and implementation in Nigeria. Scholars like Obot (2001) and Gureje et al. (2007) have extensively documented the psychiatric and socio-economic toll of substance abuse, noting that psychiatric disorders and HIV transmission are often the "hidden costs" of regulatory failure. Furthermore, Adelekan (2017) posits that while urban drug trends are well-documented, rural youth populations remain underserved by current institutional reach.

Theoretically, this study is anchored in the Deterrence Theory which suggests that the effectiveness of drug control is contingent upon the certainty, celerity, and severity of legal punishment. Institutional Theory which argues that organizations and actors do not operate purely on efficiency or rational choice. Instead, they are strongly influenced by institutional pressures that push them to conform to accepted rules, norms, and cultural expectations in order to gain legitimacy, stability, and survival. Major findings from contemporary literature suggest that while Nigeria possesses comprehensive laws, the "effectiveness" is hampered by systemic corruption and a lack of modern technological infrastructure for surveillance.

II. STATEMENT OF THE PROBLEM

Nigeria's drug abuse and illicit drug trafficking crisis has intensified into a major public health and national security challenge. Recent estimates show that over 14 million Nigerians engage in substance abuse, far exceeding global averages, with severe implications for youth development, public health, and internal security (UNODC, 2022; NDLEA, 2024). Nigeria's historical role as a transit corridor for transnational drug networks has increasingly evolved into a domestic consumption and distribution hub, deepening socio-economic and security risks (Obot, 2013).

Despite significant legal and institutional reforms—most notably the 2025 amendment to the NDLEA Act and intensified enforcement actions by NAFDAC—

the supply and circulation of illicit and substandard drugs remain pervasive (Adebisi & Aluko, 2019; WHO, 2017). This paradox underscores a persistent implementation gap between formal legal provisions and enforcement outcomes. Empirical studies attribute this gap to weak institutional capacity, judicial delays, corruption, porous borders, and poor inter-agency coordination (Dambazau, 2016; Onifade et al., 2018). Moreover, current policy responses insufficiently address the socio-economic and cultural drivers of drug abuse among vulnerable youth populations, while the nexus between drug trafficking and violent crimes—such as terrorism, banditry, and kidnapping—continues to threaten national stability (Alemika, 2015; Agbiboa, 2020). Consequently, there remains a critical need for a systematic assessment of Nigeria's legal and institutional framework for drug regulation and control to identify structural weaknesses and inform evidence-based reforms capable of delivering effective and sustainable outcomes.

III. PURPOSE OF THE STUDY

The purpose of this study is to evaluate the effectiveness of the legal and institutional frameworks for drug regulation and control in Nigeria. Specifically, the study seeks to:

- i. Examine the comprehensiveness of Nigeria's current legal framework, with particular emphasis on the 2025 NDLEA Act amendments and their alignment with international drug control standards.
- ii. Assess the operational effectiveness of key regulatory institutions (NDLEA, NAFDAC, and the PCN) in curbing the supply and demand for illicit substances and counterfeit pharmaceuticals.
- iii. Identify the systemic challenges—such as corruption, judicial delays, and porous borders—that hinder the effective implementation of drug control policies.
- iv. Investigate the socio-economic and cultural determinants that drive substance abuse among Nigerian youths, particularly in rural and underserved communities.
- v. Analyze the nexus between drug trafficking and national security threats, including terrorism, kidnapping, and banditry in the contemporary Nigerian context.

IV. RESEARCH QUESTIONS

To achieve the aforementioned objectives, the following research questions were formulated to guide investigations in this study:

- i. To what extent do the 2025 amendments to the NDLEA Act address the emerging challenges of synthetic drug trafficking and transnational organized crime?
- ii. How effective are the current enforcement strategies of NDLEA and NAFDAC in reducing the prevalence of illicit drugs and substandard medicines in the Nigerian market?
- iii. What are the primary institutional bottlenecks (e.g., funding, inter-agency rivalry, or corruption) that limit the capacity of regulatory bodies to enforce drug laws effectively?
- iv. What specific socio-environmental and cultural factors contribute to the high vulnerability of rural and out-of-school youths to substance abuse?
- v. In what ways has the illicit drug trade influenced the escalation of insurgency, kidnapping, and youth unrest across Nigeria's six geopolitical zones?

V. RESEARCH HYPOTHESIS

Ho: Nigeria's legal and institutional framework for drug regulation and control has no significant effect on the control of illicit substandard drugs in Nigeria.

Ha: Nigeria's legal and institutional framework for drug regulation and control has a significant effect on the control of illicit substandard drugs in Nigeria.

VI. SIGNIFICANCE OF THE STUDY

This study holds significant value for a diverse range of stakeholders, as it addresses a multifaceted crisis that sits at the intersection of public health, national security, and legal reform in Nigeria. For the Federal Government and the National Assembly, this research serves as a critical audit of the recently enacted 2025 NDLEA Act amendments. By evaluating whether harsher penalties—such as life imprisonment—truly deter high-level traffickers, the study provides the empirical evidence needed to refine legislative strategies. It offers a roadmap for moving beyond punitive measures toward a "balanced approach" as advocated in the National Drug Control Master Plan

(NDCMP) 2021–2025, helping the government justify budgetary allocations for both enforcement and rehabilitation. For agencies like the NDLEA and NAFDAC, the study highlights the "implementation gaps" that exist despite successful record-breaking seizures. It provides NAFDAC with data to strengthen its 2025 Strategic Plan, particularly in monitoring pharmaceutical supply chains to prevent the infiltration of substandard drugs.

Given the direct link between substance abuse and the "lethal efficiency" of insurgents, kidnappers, and bandits, this study is a vital resource for the Nigerian Military and Intelligence Community. By identifying how drug money funds terrorism and how addiction fuels criminal bravery, the findings can inform national security strategies that target the "narcotic artery" of organized crime, potentially reducing the frequency of violent attacks and unrest.

For healthcare professionals and youth-focused NGOs, this research is a tool for advocacy. It sheds light on the specific vulnerabilities of rural and out-of-school youths, who are often overlooked in urban-centric studies.

Finally, this study enhances international collaborates with agencies like the UNODC, U.S. DEA, and the European Union, having a comprehensive assessment of the domestic legal framework demonstrates Nigeria's commitment to global drug treaties. It positions Nigeria as a transparent partner in the global fight against the synthetic drug epidemic, facilitating better intelligence sharing and technical support.

VII. LITERATURE REVIEW

7.1 Existing Legal Framework Governing Anti-Narcotic Drug Control in Nigeria.

i. National Drug Law Enforcement Agency (NDLEA) Act (1989)

The NDLEA Act is Nigeria's principal anti-drug legislation, enacted to enforce laws against the cultivation, production, distribution, and consumption of narcotic drugs.

ii. The Dangerous Drugs Act (1935, Revised 1990): The Dangerous Drugs Act regulates the manufacture, sale, and distribution of controlled substances such as heroin, cocaine, and morphine. It mandates licensing

for pharmaceutical companies and criminalizes unauthorized possession and trade of these substances.

- iii. The Indian Hemp Act (1966, Revised 2004): The Indian Hemp Act specifically prohibits the cultivation, possession, and sale of cannabis in Nigeria.
- iv. The National Drug Control Master Plan (NDCMP) 2021–2025: The NDCMP is Nigeria’s strategic blueprint for addressing drug-related issues. Enhancing international cooperation in drug control (UNODC, 2021). Despite its comprehensive scope, weak policy implementation has limited its impact.
- v. Poisons and Pharmacy Act: This legislation controls the sale, distribution, and use of drugs. It gives the guidelines for licensing, labelling, and quality control.

7.2 Current Institutional framework (Agencies) for mitigating illegal drug trade and consumption in Nigeria.

The following are the key Institutions Involved in Drug Control:

- i. National Drug Law Enforcement Agency (NDLEA): The NDLEA, established under the NDLEA Act of 1989, is the primary agency responsible for enforcing drug control laws in Nigeria.
- ii. National Agency for Food and Drug Administration and Control (NAFDAC). NAFDAC plays a crucial role in regulating the importation, production, and distribution of controlled substances like opioids and psychotropic drugs.
- iii. Nigerian Customs Service (NCS) and Nigerian Immigration Service (NIS)

The NCS and NIS play vital roles in preventing the smuggling of narcotics into Nigeria. Monitoring international drug trafficking routes and collaborating with global law enforcement agencies.

- iv. The Economic and Financial Crimes Commission (EFCC)

The EFCC combats financial crimes linked to drug trade by investigating and prosecuting drug-related money laundering and illicit financial flows

- v. Federal Ministry of Health (FMH) and Drug Rehabilitation Centers

The FMH oversees Nigeria’s drug treatment and rehabilitation policies, providing medical and psychological support for drug users.

7.3 Challenges in Nigeria’s Institutional Drug Control Framework

Despite these institutional mechanisms, several challenges undermine Nigeria’s ability to combat drug abuse and trafficking effectively:

- i. Corruption within enforcement agencies: Reports of compromised law enforcement officers facilitating drug trafficking weaken public trust and hinder successful prosecutions (UNODC, 2020).
- ii. Weak judicial processes: Prolonged court cases and lenient sentencing for drug offenders undermine deterrence efforts.
- iii. Inadequate inter-agency collaboration: Poor coordination between NDLEA, NAFDAC, Customs, and EFCC reduces enforcement efficiency.
- iv. Limited public awareness and rehabilitation facilities: Many Nigerians remain unaware of drug abuse risks, and those affected lack access to rehabilitation services.

7.4 Theoretical Framework

- i. Deterrence Theory

Deterrence Theory explains criminal behaviour as a rational calculation in which individuals weigh the costs and benefits of offending, with punishment expected to be certain, swift, and sufficiently severe to discourage crime (Beccaria, 1764; Bentham, 1789). In drug regulation, the theory underpins the use of punitive laws and enforcement mechanisms to reduce drug production, trafficking, and abuse by increasing the perceived risks of legal sanctions. However, empirical scholarship emphasizes that the certainty and consistency of punishment are more effective deterrents than severity alone (Nagin, 2013).

In Nigeria, Deterrence Theory provides the rationale for stringent drug laws and the establishment of agencies such as the NDLEA. Nevertheless, the persistent prevalence of drug-related offences suggests that enforcement weaknesses, poor institutional coordination, and judicial inefficiencies undermine the certainty of punishment and weaken deterrent effects.

Accordingly, this study applies Deterrence Theory to assess the extent to which Nigeria’s legal and institutional framework deters drug-related crimes, while recognizing that effective deterrence depends on strong institutions, consistent enforcement, and complementary preventive and public health interventions.

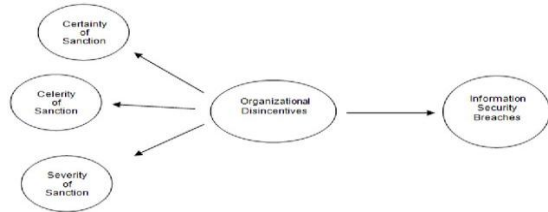


Figure 1: General Deterrence Theory Model Source: Burns, et al (2018).

For Nigeria’s legal and institutional framework to achieve effective deterrence, it must operationalize the triad of deterrence: certainty, celerity, and severity. Certainty of apprehension, identified as the most influential element (Nagin, 2013), refers to the actual and perceived likelihood of detection and punishment. In Nigeria, this deterrent capacity is weakened by porous borders, limited surveillance, weak enforcement capacity, and systemic corruption within agencies such as the NDLEA and NAFDAC, which reduce the perceived probability of arrest and conviction. Where certainty is low, even severe statutory penalties lose preventive effectiveness (Kleck et al., 2005; Aremu et al., 2022).

Celerity of punishment emphasizes the temporal proximity between offense and sanction. Delayed justice weakens the cognitive link between crime and consequence (Zimring & Hawkins, 1973). Nigeria’s slow judicial processes and congested court systems therefore dilute the deterrent impact of drug control laws and embolden organized criminal networks.

Severity of sanctions concerns the magnitude of punishment. Although the 2025 amendment to the NDLEA Act introduced life imprisonment for serious offenses, empirical studies caution that increasing severity alone yields diminishing deterrent returns if not accompanied by higher certainty of enforcement (Pratt et al., 2006).

Anchored in Deterrence Theory, this study interrogates the paradox whereby intensified enforcement, harsher penalties, and increased

convictions have not resulted in a sustained reduction in drug trafficking, abuse, and drug-related insecurity in Nigeria. The analysis suggests that Nigeria’s drug control framework overemphasizes punitive severity while neglecting institutional conditions necessary to ensure certainty of arrest and timely prosecution, thereby explaining the persistence of drug-related crimes despite legislative reforms.

ii. Institutional Theory

Institutional Theory posits that organizations and actors are shaped not only by efficiency or rational choice but by institutional pressures to conform to societal rules, norms, and expectations for legitimacy and survival. Douglass North (1990) defines institutions as the “rules of the game,” both formal (laws, constitutions) and informal (norms, conventions), which structure interactions, reduce uncertainty, and influence long-term outcomes. The theory emphasizes that the effectiveness of public policies depends not only on the existence of laws but on the capacity, strength, and legitimacy of implementing institutions (North, 1990; Scott, 2014).



Figure 2: Institutional Theory Source: North (1990)

DiMaggio and Powell (1983) identify three mechanisms through which institutions shape organizations: coercive isomorphism (pressure from laws and authorities), normative isomorphism (pressure from professional norms), and mimetic isomorphism (imitation of successful organizations). Institutional theory is relevant to assessing Nigeria’s drug regulation framework, explaining why strong policies often fail due to weak enforcement, regulatory capture, corruption, and organizational inefficiencies. It highlights challenges arising from regulatory weaknesses, normative failures, and cognitive limitations such as low public awareness and tolerance of substandard drugs.

7.5 Empirical Review

Recent empirical evidence indicates a marked intensification of drug control enforcement activities in Nigeria, particularly under the current leadership of the National Drug Law Enforcement Agency (NDLEA). Official records from the NDLEA (2025) reveal substantial operational outputs between 2023 and early 2025, including the interception and destruction of illicit drugs valued at several billions of Naira and the arrest of over 50,000 individuals for drug-related offences. These figures suggest an expansion in surveillance capacity, inter-agency collaboration, and enforcement reach, reflecting renewed institutional commitment to combating illicit drug trafficking. However, a growing body of empirical scholarship cautions against equating high arrest and seizure statistics with overall policy effectiveness. Adeleke (2025) introduces the concept of an “interdiction–conviction gap” to describe the systemic disconnect between enforcement actions and successful prosecution outcomes. His findings indicate that while law enforcement operations disproportionately target low-level distributors and street-level peddlers, a significantly smaller proportion of high-profile traffickers and transnational drug syndicate leaders are successfully prosecuted and convicted. This pattern raises concerns about selective enforcement, prosecutorial inefficiencies, and possible institutional constraints within the criminal justice system.

A 2025 NAFDAC Enforcement Report detailed a massive raid on "Open Drug Markets" (ODMs) in Idumota (Lagos), Onitsha, and Aba, resulting in the evacuation of falsified narcotic medicines valued at over one trillion Naira. Despite these efforts, Erhun & Babalola (2025) empirically demonstrate that the prevalence of substandard drugs in Nigerian rural areas remains as high as 16.7%. Their study attributes this to the resilience of unregulated distribution channels that bypass the Pharmacy Council of Nigeria (PCN) oversight, creating a "shadow supply chain" that institutional frameworks have yet to fully dismantle.

Akinbode & Eze (2024) conducted an empirical study in the North-Central and North-Eastern zones, finding a direct correlation between the availability of Tramadol and Methamphetamine and the "lethal

efficiency" of banditry and insurgent operations. This was in consonance with Okonkwo et al. (2023), who interviewed freed kidnap victims and discovered that 85% of their captors were under the influence of illicit substances during the commission of crimes. This empirical evidence suggests that drug control is no longer just a health issue but a prerequisite for regional stability.

Comparative evidence from West Africa and global contexts demonstrates that enforcement-centric drug control strategies yield limited long-term outcomes without complementary institutional and public-health reforms. In Ghana, drug control has evolved beyond punitive interdiction through the integration of prevention, treatment, and reintegration within the mandate of the Narcotics Control Board (NACOB). Empirical studies show that this balanced, health-oriented approach—supported by legal reforms that reduce custodial sentences for minor possession—has improved proportionality in sanctions and reduced pressure on the criminal justice system (West Africa Commission on Drugs [WACD], 2014; Global Initiative Against Transnational Organized Crime, 2023).

Similarly, South African studies reveal that while enforcement efforts target organised trafficking networks, their effectiveness is constrained by corruption, limited resources, and deep socio-economic inequalities that sustain drug demand. Notably, the former Scorpions unit, which integrated investigation and prosecution, recorded higher conviction rates, underscoring the importance of institutional coherence and prosecutorial capacity in drug control outcomes (Shaw, 2019; Gastrow, 2018). However, the broader enforcement architecture remains weakened by structural and governance deficits.

At the global level, empirical drug policy research consistently finds that interdiction-focused models produce short-term seizures but fail to dismantle trafficking networks or reduce consumption without parallel investments in harm reduction, judicial reform, and socio-economic development (UNODC, 2023). These findings suggest that Nigeria's intensified NDLEA enforcement mirrors global interdiction trends but risks limited effectiveness

unless aligned with integrated policy frameworks that address demand-side, institutional, and governance challenges.

VIII. RESEARCH METHODS

This study employed a descriptive-explanatory mixed-methods design, combining assessment of the current state of Nigeria’s legal and institutional frameworks with analysis of the factors influencing enforcement effectiveness. The population comprised NDLEA and NAFDAC officers, health professionals, legal practitioners, academics, and drug traders. Using Taro Yamane’s (1967) formula, a sample of 200 respondents was selected through purposive sampling. Primary data were collected via questionnaires and structured interviews. The questionnaire included 19 items measured on a five-point Likert scale (Strongly Agree to Strongly Disagree). Content validity was ensured by aligning items with the study’s key variables: legal framework, institutional effectiveness, enforcement challenges, and policy implications. A pilot study was conducted on a subset of respondents excluded from the main sample. Reliability was assessed using Cronbach’s Alpha, with values ≥ 0.70 considered acceptable. Data were analyzed using frequency distributions, graphs, and Chi-square tests to examine relationships and test the study hypothesis.

Table 1: Occupational Distribution of Questionnaire

Occupation	Frequency	Percentage
NDLEA Officers	50	25
NAFDAC Officers	40	20
Health Professionals	35	17.5
Legal Practitioners	25	12.5
Academics	20	10
Traders	30	15
Total	200	100

Source: Field Survey, 2025

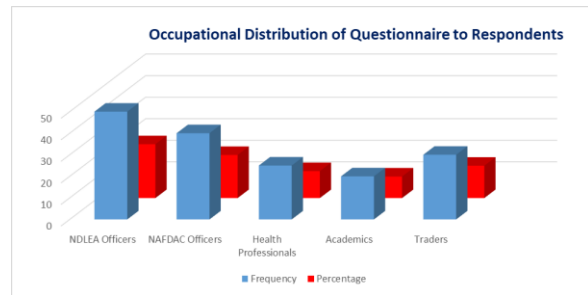


Figure 2: Occupational Distribution of Questionnaire to Respondents Source: Field Survey, 2025

IX. DATA ANALYSIS AND PRESENTATION

Table 2. Demographic Profile of Respondents

S/N	Demography	Variable	Frequency	Percentage
1	Gender	Male	126	63
		Female	74	37
2	Age	18-30	45	22.5
		31-40	68	34
		41-50	55	27.5
		50 and above	32	16
3	Education	PSC	20	10
		WASC/GCE	58	29
		BSC/HND	97	48.5
		MSC/PHD	25	12.5
4	Occupation:	NDLEA Office	50	25
		NAFDAC Officer	40	20
		Health Professional	35	17.5
		Legal Practitioner	25	12.5
		Academic	20	10
		Trader	30	15

5	Years of Experience	Less than 5 years	85	42.5
		5–10 years	46	23
		11–15 years	40	20
		Above 15 years	29	14.5

Source: Field Survey, 2025

Table 3: Respondents responses to research questions

S/N	Statement	SA	A	N	D	SD
		5	4	3	2	1
6	Nigeria’s drug control laws are adequate for addressing contemporary drug trafficking challenges.	55 25.5%	60 30%	2 1%	40 20%	43 21.5%
7	Penalties prescribed under Nigeria’s drug laws serve as effective deterrents against drug-related offences.	33 16.2%	37 18.5%	5 2.5%	75 37.5%	50 25%
8	Judicial processes support effective prosecution and conviction of drug offenders.	40 20%	42 21%	8 4%	69 34.5%	41 20.5%
9	NDLEA’s enforcement strategies have significantly reduced the availability of illicit drugs in Nigeria.	41 20.5%	40 20%	10 5%	70 35%	39 19.5%7%
10	NAFDAC’s regulatory activities have reduced the circulation of counterfeit and substandard medicines.	48 24%	45 22%	10 5%	50 25%	47 23.5%
11	Drug enforcement agencies possess adequate technical capacity and manpower.	50 25%	42 21%	5 2.5%	48 24%	55 27.5%
12	Inadequate funding limits the effectiveness of drug control agencies.	66 33%	57 23.5%	7 3.5%	49 24.5%	21 11.5%
13	Corruption undermines drug enforcement and regulatory activities in Nigeria.	60 30%	54 27%	10 5%	47 23.5%	29 14.5
14	Weak border control facilitates transnational drug trafficking.	70 35%	45 22.5%	2 1%	35 17.5%	48 24%
15	Socio-economic factors (e.g., unemployment, poverty) increase drug abuse and trafficking.	50 25%	55 27.5	10 5%	48 24%	37 18.5%
16	Increased funding and capacity building are necessary for effective drug enforcement.	40 20%	45 22.5%	3 1.5%	60 30%	52 26%
17	A public health–oriented approach (rehabilitation and harm reduction) should complement enforcement strategies.	60 30%	65 32.5%	8 4%	43 21.5%	24 12%
18	Enhanced international cooperation will improve Nigeria’s fight against drug trafficking.	55 27.5%	45 22.5%	4 2%	56 28%	40 20%
19	Overall, Nigeria’s legal and institutional framework for drug regulation and control is effective.	30 15%	41 20.5%	10 5%	61 30.5%	58 29%

20. Rate the effectiveness of Nigeria’s legal and institutional framework in regulation and control of illicit and substandard drugs in Nigeria.

Highly Effective () Moderately Effective () Neutral () Ineffective () highly ineffective ().

Table 4. Effectiveness of Nigeria’s legal and institutional framework in regulation and control of illicit and substandard drugs in Nigeria.

Responses	Frequency	Percentage	Valid	Cumulative Percentage
-----------	-----------	------------	-------	-----------------------

Highly Effective	41	20.5	20.5	20.5
Effective	42	21	21	41.5
Neutral	35	17.5	17.5	59
Ineffective	42	21	21	80
Highly Effective	40	20	20	100
Total	200	100	100	

Testing of hypothesis

Ho: Nigeria’s legal and institutional framework for drug regulation and control has no significant effect on the control of illicit substandard drugs in Nigeria.

Ha: Nigeria’s legal and institutional framework for drug regulation and control has a significant effect on the control of illicit substandard drugs in Nigeria.

Hypothesis one was tested with chi-square Statistics, using the data from table 4 above.

Chi Square data from table 4 above.

Responses	O	E	O-E	(E-O) ²	(E-O) ² /E
Highly Effective	41	40	1	1	0.025
Effective	42	40	2	4	0.1
Neutral	28	40	-12	144	3.6
Ineffective	44	40	4	16	0.4
Highly Effective	45	40	5	25	0.625
Total	200	100	0	190	4.75

Chi Square calculated is 4.75

Degree of Freedom (DF) = (R-1) (C-1)

$$DF=(5-1) (2-1)$$

$$DF= (4)(1)$$

$$DF= 4.$$

The decision rule for the Chi-square test was: reject the null hypothesis (Ho) and accept the alternative (Hi) if the calculated Chi-square value exceeds the table value at the 95% confidence level with 4 degrees of freedom; otherwise, accept Ho.

Decision: The calculated Chi-square value ($\chi^2 = 4.75$) is less than the critical table value ($\chi^2_{0.05,4} = 7.89$) at 95% confidence and 4 degrees of freedom. Therefore, Ho is accepted, indicating that Nigeria’s legal and institutional framework for drug regulation and control has no significant effect on the control of illicit and substandard drugs

9.2 Results and Discussion of Findings

The first objective of this study was to evaluate the adequacy and practical effectiveness of Nigeria’s drug control laws in responding to contemporary drug trafficking and the proliferation of substandard medicines. Although a modest majority of respondents regarded the existing legal framework as adequate, this perceived adequacy did not correspond with tangible improvements in controlling illicit and substandard drugs. This disconnect underscores a pronounced implementation deficit, wherein statutory provisions exist largely at the level of formal compliance but fail to deliver substantive regulatory outcomes. This finding is consistent with earlier empirical evidence suggesting that Nigeria’s drug control laws are largely comprehensive in design but weakened by ineffective enforcement and institutional fragility (Obot, 2001; Adebisi & Aluko, 2019). From the standpoint of institutional theory, legal frameworks achieve regulatory effectiveness only when reinforced by robust enforcement capacity, functional institutions, and compliance-oriented governance structures.

In assessing the deterrent capacity of penalties prescribed under Nigeria’s drug laws, the study revealed divergent perceptions among respondents. While a segment of participants acknowledged the deterrent role of punitive sanctions, a larger proportion expressed skepticism regarding their effectiveness in reducing drug trafficking and consumption. This finding calls into question the core assumptions of classical deterrence theory, which posits that severity of punishment serves as a primary constraint on criminal behavior. In line with previous empirical studies (Onifade et al., 2018; UNODC, 2022), the results indicate that deterrence is more strongly influenced by the certainty, consistency, and credibility of enforcement than by punitive severity alone. Weak prosecutorial processes and low

conviction rates appear to significantly erode the deterrent potential of existing sanctions.

The study further revealed widespread perceptions of judicial inefficiency in the prosecution and conviction of drug offenders. A majority of respondents expressed limited confidence in the capacity of the judicial system to adjudicate drug-related cases effectively and expeditiously. This finding reinforces prior research that identifies systemic delays, procedural bottlenecks, and corruption within Nigeria's justice system as critical impediments to effective drug control (Alemika, 2015; Agbibo, 2020). From a governance theory perspective, fragile judicial institutions weaken accountability mechanisms and inadvertently create an enabling environment for organized drug trafficking networks to thrive.

An evaluation of NDLEA's enforcement strategies showed that most respondents believed these efforts have not led to a significant reduction in the availability of illicit drugs. This perception aligns with existing empirical literature which argues that supply-side enforcement strategies, when implemented in isolation, are insufficient due to the dynamic, adaptive, and transnational character of drug trafficking networks (Obot, 2007; NDLEA, 2021). Similarly, the assessment of NAFDAC's regulatory performance revealed divided opinions regarding its effectiveness in curbing the circulation of counterfeit and substandard medicines. The near-equal split in responses reflects persistent structural and operational challenges within Nigeria's pharmaceutical regulatory system. These findings corroborate previous studies indicating that despite periodic enforcement actions, counterfeit medicines remain pervasive due to informal distribution channels, weak surveillance systems, and porous borders (WHO, 2017; Oyediran & Adegboye, 2020). Institutional capacity theory provides a useful explanatory lens here, emphasizing that regulatory agencies require sustained funding, technical expertise, and operational autonomy to achieve meaningful outcomes.

The findings also highlight institutional constraints—particularly inadequate funding, manpower shortages, and corruption—as major factors undermining the effectiveness of drug enforcement agencies. This

result strongly supports earlier studies identifying resource limitations and governance deficits as systemic weaknesses within Nigeria's drug control architecture (Dambazau, 2016; UNODC, 2021). From an institutional capacity perspective, under-resourced agencies lack the operational depth required for continuous surveillance, intelligence gathering, investigation, and prosecution, thereby limiting policy effectiveness and sustainability.

Notably, the study found strong support for the integration of public health-oriented approaches, including rehabilitation and harm reduction, into Nigeria's drug control strategy. This preference reflects a growing recognition that drug abuse is not solely a criminal justice issue but also a public health challenge. The finding aligns with global best practices advocated by the World Health Organization and the United Nations Office on Drugs and Crime, which emphasize balanced strategies combining enforcement with prevention, treatment, and social reintegration.

The test of the study's hypothesis revealed that Nigeria's legal and institutional framework for drug regulation and control has no statistically significant effect on the control of illicit and substandard drugs. This outcome confirms that the limitations of drug control in Nigeria stem not from the absence of laws or institutions but from weak implementation, insufficient institutional capacity, and persistent governance failures. The result lends strong empirical support to the implementation gap theory, which explains why well-articulated policies in developing governance contexts often fail to translate into effective outcomes.

In summary, the discussion demonstrates that Nigeria's drug regulation and control framework is substantially constrained by institutional weaknesses, ineffective enforcement, judicial inefficiencies, and underlying socio-economic pressures. The findings suggest that sustainable improvements in drug control require a strategic shift away from narrowly law-centric approaches toward integrated interventions that prioritize institutional strengthening, accountability, public health responses, and regional as well as international cooperation.

X. CONCLUSION

This study examined the effectiveness of Nigeria's legal and institutional framework for drug regulation and control by analysing the adequacy of existing laws, the deterrent value of statutory sanctions, the performance of enforcement agencies, and the institutional conditions shaping regulatory outcomes. Grounded in institutional theory, classical deterrence theory, and the implementation gap perspective, the study provides empirical evidence explaining the continued proliferation of illicit drugs and substandard medicines in Nigeria.

The findings indicate that although Nigeria's drug control laws are largely comprehensive, their regulatory impact is weak. Legal adequacy has not translated into effective control due to persistent implementation deficits, limited institutional capacity, and governance constraints. This reinforces earlier studies that describe Nigeria's drug control regime as strong in legal design but fragile in execution. The study further reveals that the severity of punishment under existing laws does not significantly deter drug-related offences, thereby questioning the explanatory strength of classical deterrence theory in this context. Rather, deterrence is shaped more by enforcement certainty, judicial efficiency, and conviction outcomes than by punitive intensity.

Institutional analysis shows that the effectiveness of the NDLEA and NAFDAC is undermined by chronic underfunding, manpower shortages, corruption, and weak inter-agency coordination. These systemic constraints weaken sustained enforcement and regulatory oversight. The hypothesis test confirms that Nigeria's legal and institutional framework has no statistically significant effect on controlling illicit and substandard drugs, providing strong empirical support for the implementation gap theory.

Beyond validating existing literature, this study advances a new integrative perspective by demonstrating that Nigeria's drug control challenge is fundamentally systemic rather than purely legal or enforcement-driven. It underscores the need to move beyond law-centric reforms toward a governance-sensitive approach that combines institutional strengthening with public health-oriented strategies

such as rehabilitation and harm reduction. Sustainable drug regulation in Nigeria, therefore, requires integrated, capacity-driven, and implementation-focused reforms rather than further legal expansion alone.

RECOMMENDATIONS

- i. Nigerian Government should Shift Policy Focus from Law Expansion to Implementation Performance, by issuing clear operational protocols, establishing measurable enforcement targets, and instituting regular compliance audits across regulatory and enforcement agencies.
- ii. The government need to invest strategically in Institutional Capacity Development by increasing and ring-fence budgetary allocations for the NDLEA and NAFDAC, with emphasis on recruitment, specialised training, digital surveillance, and forensic capabilities.
- iii. Government should fast-track drug-related prosecutions through procedural reforms or the establishment of specialised drug courts. Legal practitioners and prosecutors should adopt case-management systems that reduce delays and improve conviction certainty.
- iv. Nigeria need to implement a Balanced Enforcement–Public Health Model, by integrating treatment, rehabilitation, and harm-reduction programmes alongside enforcement actions.
- v. Nigeria should institutionalise Inter-Agency and Cross-Border Coordination for intelligence sharing among domestic agencies and deepen regional cooperation with neighbouring states and international partners. Practitioners should participate in joint task forces and data-sharing platforms to disrupt transnational drug trafficking networks.
- vi. Drug control strategies should be complemented by socio-economic programmes targeting youth unemployment, poverty, and social vulnerability. Practitioners should align enforcement efforts with community-based prevention and empowerment initiatives to achieve sustainable outcomes.

REFERENCES

- [1] Adelekan, M. L. (2017). The role of social networks in shaping drug use behaviors, particularly among young people. *Journal of Advances in Medicine and Medical Research*, 23(7), 1-8. <https://doi.org/10.9734/JAMMR/2017/35670>.
- [2] Aremu, F. A., et al. (2022). *Institutional Integrity and the War on Drugs in Nigeria*. *Journal of African Law*.
- [3] Beccaria, C. (1764). *On Crimes and Punishments*. (Trans. 1963). Bobbs-Merrill.
- [4] Bentham, J. (1789). *An Introduction to the Principles of Morals and Legislation*. Clarendon Press.
- [5] Dike, F. U. (2025). *The role of NDLEA in mitigating illicit drug menace in Nigeria: A critical analysis of control measures since 1989*. *Journal of African Studies and Sustainable Development*, 8(2)
- [6] Gibbs, J. P. (1975). Crime, punishment, and deterrence. *Southwestern Social Science Quarterly*, 56(1), 1-14.
- [7] Gastrow, P. (2018). *Organised crime in Africa: Assessing threat patterns*. Institute for Security Studies.
- [8] Global Initiative Against Transnational Organized Crime. (2023). *Drug policy reform and enforcement in West Africa*.
- [9] Gureje, O., Degenhardt, L., Olley, B., Uwakwe, R., Udofia, O., Wakil, A., et al. (2007) A Descriptive Epidemiology of Substance Use and Substance Use Disorders in Nigeria during the Early 21st Century. *Drug and Alcohol Dependence*, 91, 1-9.
- [10] Independent Newspaper Nigeria. (2025). *NAFDAC generates N2.5bn from crackdown on illicit drug markets*. Independent Newspaper Nigeria
- Kleck, G., Sever, B., Li, S., & Gertz, M. (2005). The missing link in general deterrence research. *Criminology*, 43(3), 623-660.
- [11] NAFDAC. (2025). *Update on enforcement operations in open drug markets*. [NAFDAC.gov.ng](https://www.nafdac.gov.ng). NAFDAC
- [12] Nagin, D. S. (2013). Deterrence in the twenty-first century. *Crime and Justice*, 42(1), 199-263.
- [13] Nagin, D. S., & Paternoster, R. (1993). Enduring individual differences and rational choice theories of crime. *Law & Society Review*, 27(3), 467-496.
- [14] North, D. C. (1990). *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.
- [15] Obot, I. S., Wagner, F. A., & Anthony, J. C. (2001). Early onset and recent drug use among children of parents with alcohol problems: Data from a national epidemiologic survey. *Drug and Alcohol Dependence*, 65(1), 1-8.
- [16] Paternoster, R. (2010). How much do we really know about criminal deterrence? *Journal of Criminal Law and Criminology*, 100(3), 765-824.
- [17] Pratt, T. C., Cullen, F. T., Blevins, K. R., Daigle, L. E., & Madensen, T. D. (2006). The empirical status of deterrence theory. *Crime & Justice*, 32, 367-395.
- [18] Tonry, M. (2008). Learning from the limitations of deterrence research. *Crime and Justice*, 37(1), 279-311.
- [19] Shaw, M. (2019). *Police corruption and organised crime in South Africa*. *African Affairs*, 118(472), 1-23.
- [20] United Nations Office on Drugs and Crime (UNODC). (2023). *World Drug Report 2023*.
- [21] Nagin, D. S. (2013). *Deterrence in the Twenty-First Century*. *Crime and Justice*, 42(1), 199-263.
- [22] Paternoster, R. (2010). *How Much Do We Really Know About Criminal Deterrence?* *Journal of Criminal Law and Criminology*, 100(3), 765-824.
- [23] Pratt, T. C., et al. (2006). *The Empirical Status of Deterrence Theory: A Meta-Analysis*. In: Cullen, F. T., et al. (Eds.), *Taking Stock: The Status of Criminological Theory*.
- [24] Uduo, T. A., & Obaji-Akpet, I. O. (2025). *Evaluating proactive strategies against drug trafficking and money laundering in Nigeria: A critical analysis of the Buba Marwa*
- [25] West Africa Commission on Drugs (WACD). (2014). *Not just in transit: Drugs, the state and society in West Africa*.
- [26] Zimring, F. E., & Hawkins, G. J. (1973). *Deterrence: The Legal Threat in Crime Control*. University of Chicago Press.