

Policing Elections in Nigeria:

Assessment of the Role of the Nigeria Police Force in Elections in Nigeria



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The mission of CLEEN Foundation is to promote public safety, security and accessible justice through empirical research, legislative advocacy, demonstration programmes and publications, in partnership with government and civil society.

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Glossary of Terms and Abbreviations

AC	Action Congress
ACE	Alliance for Credible Elections
AD	Alliance for Democracy
ANPP	All Nigeria Peoples Party
APGA	All Progressive Peoples party
ASP	Assistant Superintendent of Police
BENGONET	Benue Non Governmental Organization
CBN	Central Bank of Nigeria
CCTV	Close Circuit Television
CDD	Centre for Democracy and Development
CLEEN	Centre for Law Enforcement Education
CP	Commission of Police
CRD	Centre for Research and Development
CSO	Civil Society organization
DFID	Department for International Development
DPA	Democratic Peoples' Alliance
DPO	Divisional Police Officers
EA	Electoral Act
EDSIEC	Edo State Independent Electoral Commission
ENSIEC	Enugu State Independent Electoral Commission
ERC	Electoral Reform Committee
ERN	Electoral Reform Network
EU	European Union
FCT	Federal Capital Territory
FGD	Focus Group Discussion
GRA	Government Reserved Area
IOSD	International organization for Sustainable Development
INEC	Independent National Electoral Commission
IPG	Informal Policing Groups
KASIEC	Kano State Independent Electoral Commission
LASIEC	Lagos State independent Electoral Commission
LCDA	Local Council Development Area
LGA	Local Government Area
NGO	Non Governmental Organization
MOPOL	Mobile Police
NPF	Nigeria Police Force
SIEC	State Independent Electoral Commission
SJG	Security, Justice and Growth programme
TOR	Terms of Reference

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Finally, the report was written by **Jeffery Isima** and edited by **Innocent Chukwuma**.

Executive Summary

Conducting elections that are peaceful, free and fair, and whose results are widely accepted and respected across the country has remained the most daunting challenge of democratisation and democratic development in Nigeria since independence. All the elections that were conducted from that point to date have generated increasingly bitter controversies on a national scale. The underlying grievances have centred on the twin problems of mass violence and fraud that have become central elements of the history of elections and of the electoral process in the country. In such a context, establishing electoral credibility would require that security is provided for the electoral process in all its stages in an effective, transparent and accountable manner. By default, the quest for electoral security places the police force at the centre of focus, not least because it is the agency of the state with the statutory responsibility for internal security and for crime control.

Yet, while the widespread concern about the security (or insecurity) of elections has generated increasing analysis, there is no informed emphasis on the central role played by the police as a unique security agency during elections. The growing body of literature has rather tended to consider this problem by focusing on the entire security spectrum. Even then, much of the existing knowledge of the role of security agencies in elections is based on the reports of election monitoring and not on analytical studies. Few of the existing analyses on the subject deal essentially with the mutually reinforcing questions of political violence and electoral fraud and only touch upon the police (and other security agencies) tangentially.

This study was therefore undertaken to provide empirical understanding of the role the police have played in the electoral process in Nigeria, the challenges they face in carrying out their electoral functions and the opportunities for success. The overall goal of the study was to generate an evidence base for the much needed changes in law, policy and operational practices required for more secure and credible elections in the country.

With support from the Security, Justice and Growth (SJG) programme, the study was undertaken by the CLEEN Foundation in 7 states and the Federal Capital Territory in March 2010. The states include Anambra, Benue, Edo, Enugu, Kano, Lagos, Ogun and Abuja, FCT. A qualitative methodology was used for the study while face-to-face interviews were the main tool for data collection in the field.

Findings

An important finding from the study was that all the stakeholders in the security of elections were fully aware of the statutory functions of the police in respect to securing elections. This showed that there was a widespread understanding and shared public expectation that the police have the responsibility to ensure that elections are safeguarded from fraud and violence.

The study also revealed that, apart from the gubernatorial election of 6 February 2010 in Anambra State, the police have generally failed to perform their electoral functions. Not only have they been unable to provide effective security for elections, the police have themselves been involved in acts of electoral fraud and crime. Most of the explanations emerging from the study identify the institutional neglect of the police leading to its weak operational capacity, endemic corruption, political control of the police and low level of morale in the organisation as causes of the failings.

However, there were a few cases identified of good performance by the police. The February 2010 gubernatorial election in Anambra State emerged as an exceptional case of high performance by the police since 1999. In the other states, the few cases of relatively good performance occurred in the capital cities and major towns as opposed to outlying villages and communities. The common factor that runs through these success stories was the concentration of police resources, mainly manpower, logistics and funds, as a key element of success.

Focused public attention was regarded as the main factor for concentrating police resources. The Anambra election took place outside the unified timetable of elections in the country and was the only election held at that time; it was

able to attract the watchful attention of key stakeholders, including members of the public, civil society groups and the national government. In addition, civil society groups are more present and vibrant in election monitoring in the capital cities, whilst being largely absent in rural areas.

The role of political and strategic leadership was also found to be critical to the concentration of police resources in Anambra. The Anambra election took place at a time when the highest political leadership was changing and a strong political and strategic demand for credible elections was beginning to emerge. This strategic political demand also had a demonstration effect on the police hierarchy and provided a drive to deploy requisite resources.

Finally, the study demonstrates the supplementary but risky role of informal policing groups in election security. Where the police are thin on the ground or absent, informal groups have emerged to provide some modicum of security for voters and ballot boxes. However, those groups are part of the community and are sometimes easily manipulated by local political elites to undermine the security of elections.

Recommendations

The following actions are recommended for addressing the challenges of securing elections as identified in this study:

- A national conference on policing elections in Nigeria should be convened as soon as possible as a follow-up to this study. That conference, which should bring together the leadership of major stakeholders on elections in the country such as the Independent National Electoral Commission (INEC), Nigeria Police Force (NPF), Police Service Commission (PSC), political parties, civil society groups and others to discuss the findings of this study and agree on a policy framework and resources needs for the policing of the 2011 elections. This would provide an opportunity for a national policy debate on the challenges and opportunities of addressing the security and credibility of elections in the country.

- The conference should also agree on the need for the development of a specialised training programme for preparing the police to play their important role during elections. Such a programme should include but not be limited to sensitization of police officers and members of the public on the functions of the police during elections; training of police officers on appropriate conduct expected of them during elections as provided in the PSC Code of Conduct for Police Officers on Electoral Duties; deployment of monitors by the PSC in collaboration with civil society groups to monitor police conduct during elections and using reports of such a monitoring exercise to reward excellent behaviour and investigate police officers found wanting with a view to punishing those found guilty of misconduct.
- The funding of the election functions of the police should be institutionalised as a deliberate and publicly transparent policy. To this end, a special fund should be set up and the disbursements from the fund down to the polling station should be published and closely monitored by relevant government agencies and civil society groups. The police should also be allowed to plan and develop its budget for discharging electoral functions.
- Deployment of policing personnel resources during elections should be guided by needs, population density and prior mapping of areas with a history of electoral violence rather than the current practice where more police officers are deployed to neighbourhoods where people with political influence reside.
- The policy to withdraw police attachments to politicians and aspirants at the polling centre in the Anambra election should be sustained and made a national policy for all elections.
- Monitoring of police conduct during elections should be made an integral part of the work of the Police Service Commission and adequately budgeted for.

- The major civil society coalitions on monitoring elections should also be supported to extend their monitoring exercise to rural areas and inner-city communities not often covered in election observation programmes.
- Non-state community-based neighbourhood groups should be trained and engaged to support the police for the protection of elections. A special training programme should be developed for these groups while they are closely monitored by civil society groups during elections

Chapter One

Introduction and Background

Introduction

Past elections in Nigeria have been characterised by high levels of violence, intimidation and fraud. This has resulted in public cynicism about the electoral process. The Nigeria police in particular have been accused of being employed by politicians as tools for intimidating opponents and members of the public in order to influence the outcome of elections. As the country prepares for another round of general elections in the year 2011, it has become imperative to assess the capability and readiness of the Nigeria Police Force (NPF) to perform its constitutional functions effectively during elections. To do so, it is of utmost importance to investigate the challenges encountered by the NPF in the previous elections and the factors that facilitated or obstructed its ability to guarantee secure and violence-free electoral processes. Understanding these factors is crucial for informing appropriate policy and programmatic interventions to improve the policing of future elections in the country.

This report presents the result of a research project on the role of the NPF in the electoral process in Nigeria undertaken by the CLEEN Foundation with generous support from the UK Department for International Development (DFID). The overall goal of the research is to understand the role of the NPF in elections and electioneering, including the potential risks and opportunities for success in engaging the police for election security. The main purpose of the study includes:

- To generate a clear and better understanding of the legitimate roles of the police during elections, the gaps, and what precipitates variations (if any) within formal policing structures in the selected states
- To explore the challenges that the police face in the execution of their roles during elections
- To help inculcate a performance management culture within the NPF

Background to the Study

Democratisation and security are intricately related just as successful and credible elections are a powerful tool for conflict prevention, particularly in fragile societies. This is very much evident in much of Africa today and most notably Nigeria. The post-Cold War so-called *Third Wave* (Huntington 1991) of transition to democracy in Africa constitutes a central point for locating the majority of violent internal conflicts that engulfed the region from the turn of the 1990s, whose lingering impacts have remained evident in endemic conditions of political fragility, instability and insecurity. Given the context of weak state institutions, the intense competition for power, unleashed by the process of political liberalisation in the 1990s and driven by the deferred promise of popular participation, offers an important insight into the linkage between democratic transition and insecurity in Africa.

A second critical explanation is the reactionary strategies of the so-called 'enemies of democracy' and ruling elites to accommodate the popular democratic pressure for openness and accountable governance. Such strategies of accommodation (including co-optation, intimidation, election manipulation, dubious constitutional amendment, violation of limits on political office term, among others) restricted the opportunities for resolving society's most vexing contradictions and some of the vestiges of the authoritarian dispensation, leading to grievances, mass resistance and violent expressions of political dissent in the process of transition to democracy. This is not particular to African countries alone. Studies have showed that the early stages of democratic transition in most post-authoritarian societies have been marked by violent conflict and that the process of democratisation itself can generate greater insecurity (Snyder 2000). In Latin America, Asia and Eastern Europe, transitional countries only begin to experience internal stability at the latter stage of democratic consolidation (Regan & Henderson 2002; Luckham 2003: 19).

Yet instances abound in African. In Somalia, the failure of state elites to manage the sudden and intense social pressure for democracy at the end of the 1980s precipitated the bloody civil war and eventual collapse of the state. The same can be said of Rwanda and the infamous genocide of the early

1990s. Elite accommodation of democratic pressure is also visible in Zimbabwe, where the refusal of the Mugabe regime to permit unfettered popular political participation has been an enduring source of political violence. In South Africa, the gradual consolidation of democratic rule since 1994 has seen far lower levels of political violence than in the period between 1990 and 1994 when the painful transition to democracy was being negotiated and implemented. In Nigeria, the years since the transition from military to civil rule in 1999 have coincided with the explosion of violent communal conflicts in diverse parts of the country. The post-election mass violence in Kenya between late 2007 and early 2008 is also another case in point. Most recently, the manipulation of the constitution in Niger through a most dubious and unpopular referendum which paved way for ex-President Mamadou Tanja to continue in office beyond the constitutional limit eventually led to the seizure of power by the military.

Thirdly, in post-conflict societies, many of which are in Africa, the conduct of elections is central to the success or failure of war-to-peace transition and post-war peace-building. During post-conflict peace processes, questions about elections take the centre stage. This is because, in most cases, the comprehensive resolution of conflict and sustained peace-building require the transformation of power relations which underpinned the conflict. Furthermore, elections provide a key avenue for putting popular concerns and grievances on the political agenda. In Sierra Leone the consolidation of post-conflict transition has reflected in the last election, which was adjudged to be credible. The ruling party gracefully accepted defeat when it lost power to the opposition and there was no recourse to manipulation or violence.

However, in neighbouring Cote d'Ivoire the government has been reluctant to hold general elections. There elections have been postponed so many times that the transition to peace has witnessed occasional reversals and been generally slowed down.

What all this tell us is that the failure to consolidate democratic practice can generate or exacerbate insecurities which, in turn, can reverse the democratisation process itself. Yet, a second dimension of the linkage between

democratisation and security is the role that security institutions play in the success or failure of democratic transition. In various instances, security forces (particularly, but not limited to, the military) have played either a facilitating or obstructing role in the course of democratisation. In Niger, the military has constantly proved to be a guardian of democracy. While military rule may be a contradiction in democratisation process, the armed forces of Niger have faithfully overthrown the country's strongmen and civilian regimes with democratic pretensions but despotic credentials and paved the way for fresh constitutional order. In Ghana, the military under Jerry Rawlings served as the guardian of the state and of democracy by eliminating the then corrupt ruling class and laying a solid foundation for exemplary democratic governance.

Conversely, security agencies have also constituted a formidable obstacle to genuine transition to democracy and democratic consolidation in Africa by serving as tools of political surveillance and misuse against champions of democracy. Zimbabwe is one glaring example where state security services have sustained a campaign of terror against pro-democracy groups and the political opposition in order to permanently maintain the dictatorship of President Mugabe in power. In both Guinea and Guinea Bissau, the military remains the main power broker since independence. They have either been directly in power or maintained close surveillance on the civilian leadership.

Occasioned by the desire to maintain the political and economic prerogatives of the military class, this role has been calculated to hinder genuine democratisation. The result has been decades of inter-group power tussles, coups, armed political unrest and instability. Apart from the few cases of South Africa, Ghana, and Benin and to a large extent Mali, only partial democracy has been granted in the vast majority of African states while the hope of democratic consolidation has been deferred. Where some degree of democracy has been allowed, security agencies have continued to interfere in the process in ways that qualify the very content of democracy itself and prohibit the crucial progress towards democratic consolidation. The police represent security services whose role has been most obvious in

democratisation projects across the region, particularly during the decisive points of elections.

Police forces are indispensable to ensuring the credibility of elections. Since they have the sole constitutional mandate for internal security and law and order, police forces are the most important institutions for ensuring that the necessary and first order conditions of safety and security for credible elections are guaranteed. Where the police are functionally autonomous of political struggles among groups, are operationally effective, are publicly accountable and operate in a manner that is consistent with democratic principles, they are highly likely to uphold the constitution and guarantee the credibility of elections. Conversely, the credibility of elections is seriously undermined if the process is not free, fair, transparent and participatory. These criteria, in turn, cannot be guaranteed in the absence of public safety and security, where the police operate in a partisan way and/or fail to adhere to the spirit of the constitution. In conditions where the police serve as instruments of political misuse or are unable to guarantee public security during elections, voting is highly susceptible to fraud of such a massive proportion that would discredit the entire electoral process. It is therefore important to understand the role that the police play during elections in emerging democracies that aspire to democratic consolidation. This research has provided a rare opportunity for inquiring into the actual role that the Nigeria Police Force (NPF) has played and continues to play in the conduct of elections in the country.

Nigeria is a most appropriate country to undertake this study. Being Africa's largest democracy and having provided unique leadership in the quest for peace and security in the region, Nigeria demonstrates the potential for transmitting practices and lessons on the role of the police in elections and the consolidation of democracy in the continent. The country made a decisive transition from protracted military rule to multi-party democracy in 1999, having made failed attempts since independence in 1960. Though the country experienced two brief interregnums of democracy in the first five years of independence (October 1960 to January 1966) and between 1979 and 1983, those experiments were ephemeral and military dictatorship held sway until

1999. Those interregnums were notably marked by the absence of virile state institutions that could guarantee the survival of democracy, let alone its consolidation. Ethnic and regional loyalties were far stronger than national consciousness and allegiance to the central state. Under the prevailing political conditions, elections became an instrument of regional and ethnic survival rather than to serve the purpose of nation-building and conflict resolution.

As has been copiously documented, many major violent political conflicts have exploded around fraudulent elections since independence (Kurfi 2005: 97), notable among which are the widespread violence and inter-communal rioting in the then Western Region following the massively rigged regional elections of 1965, which claimed over 200 lives (Anifowose 1982: 201-257); and the infamous mass violence, arson and killings of 1983 saga in Ondo State (Ibrahim and Aturu 2007: 36-7). In other parts of the country, the large-scale malpractice and violence of the 1983 elections set the stage for the military take-over of power by General Mohamed Buhari and the demise of the Second Republic (EC 2007: 6). Elections under the dispensation of those interregnums were characterised by disenfranchisement, falsification of results, rigging, ballot box stuffing, stealing and snatching of electoral materials and killings.

Painfully, it has been observed that in spite of the marked transition of 1999, the credibility of elections in Nigeria has steadily deteriorated with the last (2007) election worse than the previous ones (Ibrahim and Ibeanu 2007: 1).

The 2003 elections were ridden with reports of widespread electoral fraud, including ballot box stuffing, forgery of results and other irregularities across nearly all the states of the country. These irregularities rose sharply during the 2007 election with the killing of over 200 people, including police, as reported by international and domestic monitors (EC 2007: 20). Evidence from Borno State supports this observation. There it was noted that the combination of violence and fraud was the trademark of the so-called godfather politics by which gun violence, invasion of polling stations by thugs and snatching of voting materials were authorised by powerful political elites in the 2007 elections (Abutudu and Obakhedo 2007: 252). Candidates who oppose the

protégés of the godfathers' are often subjected to violence by thugs or security personnel (Ibrahim 2009: 5). In Rivers State, the 2007 elections featured the active involvement of party militias and even soldiers in pre-election violence. This exacerbated overall armed violence in the state, including the proliferation of cult groups, and extremely dangerous election-related militants (Naagbantou 2007: 374-8).

The security forces were not spared by the widespread infection of sectionalism along regional and ethnic lines. The first military intervention in January 1966 and the resultant outbreak of civil war a year later demonstrate this point.

There have also been many allegations of complicity and politicisation against the security forces, notably the police, in the pervasive incidents of electoral fraud in the subsequent general elections, particularly that of 1983. These allegations served as part of the major motivations for the return of the military in the coup of December of 1983 (EC 2007: 6). In spite of this fitful political history, the 1999 general elections was a watershed in the democratic development of the country. There has been no major democratic reversal since that transition and it appears that the major transition challenge the country now faces is entering and sustaining the next phase of democratic consolidation.

A central component of this challenge is how to ensure that the police in Nigeria support the credibility of future elections by creating a safe and secure environment for the conduct of free and fair elections in an unbiased, effective, transparent and accountable manner. To surmount this particular challenge requires an understanding of how the police have impacted on the credibility of elections since 1999. The goal of this study therefore is to understand what the role of the police has been in the conduct of elections and how such roles facilitate or obstruct the credibility of elections in the country and why. The objective of the study is to identify whatever gaps exist in the policing of elections and how those gaps can be mitigated. The study consists of two parts, including a review of the literature and an empirical survey in the six selected states of the federation, both of which reports are presented in the following sections.

Chapter Two **Research Strategy**

The primary aim of this study was to produce evidence-based analysis that would facilitate the capability of the Nigeria Police Force to guarantee safe, free and fair elections whose results are widely acceptable among the population. The research was therefore designed to capture both primary (empirical evidence) and secondary data (existing analysis) on the performance of election related functions by the police since the transition from military rule to democracy in 1999. A qualitative approach was adopted for this research, while document review and interviews were used as the two main techniques for collection and analysis of secondary and primary data.

Document Review

The desk study involved a review of all relevant existing publications, grey literature and administrative materials on the role of the police in elections in Nigeria. In order to guide the field study and enrich its findings, the literature review focused on the history of elections in the country and their relationship to virulent insecurity and political instability. More specifically, the review examined the statutory functions of the police in respect of elections and the assessment of police performance of those functions and the persistent challenges and constraints the police have faced in previous elections as documented in existing studies and analyses. The publications that were reviewed include legal documents that deal with the election functions of the police; published reports of election monitoring by domestic and international observers; reports on past elections published by government agencies, including the National Human Rights Commission (NHRC) and the Police Service Commission (PSC) and published academic analyses on elections and democratisation and the links with insecurity. In addition, news reports and newspaper articles, relevant journal articles and guidelines issued by the Police Service Commission on the role of the police on election duty were reviewed.

The review was used to link different perspectives on elections and policing together to produce the thematic framework as well as generate the key

questions and the interview guide for the second phase of substantive empirical study in the field.

Field Study

The field study was conducted in seven states and the Federal Capital Territory (FCT), namely: Abuja, Anambra, Benue, Edo, Enugu, Kano, Lagos and Ogun. These states and the FCT were selected because they constitute the focal states of the UK Government's Department for International Development (DFID) Security, Justice and Growth (SJG) programme in the country. The main instrument used for data collection in the field was interviews with the main stakeholders on issues of elections and security in the country. This involved the use of in-depth face-to-face interviews with individuals and focus group discussions.

The interview technique of data collection was chosen because it is most appropriate for qualitative research. The interview guide used for the inquiry contained open-ended and semi-structured questions, which allowed for in-depth probing as well as unrestricted answers and rich insights from respondents for qualitative analysis. In addition, it was considered to be most effective where the subjects of the research may not all be able to read or write and therefore may not be capable to complete questionnaires. Also there is a higher response and retention rate with interviews than with other techniques. Other factors that influenced the choice of the interview technique include the fact that the physical presence of the interviewer facilitates triangulation, as it makes direct observation of the subject possible; questions could easily and promptly be clarified if they are misunderstood or not clearly understood during interviews; in-depth data are likely to be obtained from the subjects who are not restricted to predetermined questions.

For the purpose of the field interview, a total of 8 field researchers were recruited by the CLEEN Foundation and trained. The training included an explanation of the purpose of the study and of the qualitative research approach. The training also dealt with scheduling of interviews with prospective respondents, logistic preparation of the interviewer ahead of the interview,

note-taking and voice-recording techniques, contingencies on the day of interview, the conduct of the interview proper and related ethical issues. In addition, the draft of the interview guide was discussed with the researchers and consequently reviewed. The purpose of reviewing the schedule was to elicit the concerns of the field researchers, whose comments were helpful in drafting the final version of the interview guide. Other areas covered during the training related to the oversight and supervision of the field research, quality control and administrative matters.

Face-to-face interviews were held with by the field researchers with individual respondents and in focus group discussions simultaneously in the capitals of the 7 states and Abuja, with one researcher deployed for each state and for a period of 10 working days. The field researchers were people based in the capital of the selected states and who are familiar with the local social and political environment in their respective states. In order to facilitate the study and enhance the reliability of the field reports, the researchers were provided with mini digital recorders.

The interview guide was divided into 7 main sections. Section 1 dealt with personal background questions about the respondents. The second section focused on the professional position of the respondents in relation to issues of policing elections. This was followed by a section of questions about the statutory mandate of the police in elections. The fourth section focused on the actual performance of the police during recent elections. In Section 5, the questions dealt with the extent of institutional preparation of the police for election duty. The questions in Section 6 were concerned with safety and security at polling centres, while the last section dealt with specific policy recommendations.

In order to capture the most relevant insights on the policing of elections, key stakeholders in policing and elections were targeted for the individual interviews and focus group discussions. The respondents targeted in each state and Abuja included:

- Senior police officers at the Police Force Headquarters (national) in Abuja and Police Command Headquarters in the seven states plus Abuja (FCT)
- Junior police officers in the seven states and Abuja, particularly those that have served on electoral duties between 1999 and 2007
- Officials of the Independent National Electoral Commission (INEC) in the seven states and Abuja
- Officials of the State Independent Electoral Commission in the targeted states
- Officials of the Ministry of Police Affairs (MOPA) and the Police Service Commission
- Representatives of the ruling and opposition parties
- Representatives of civil society groups, particularly those that monitor elections in the country and branches of the Nigeria Bar Association (NBA) in the seven states
- Representatives of international organisations that have monitored elections in Nigeria
- Members of the public who have participated in previous elections as voters, election observers, party agents or *ad hoc* staff of INEC
- Representatives of other law enforcement agencies that provided security in past elections, including the National Security and Civil Defence Corps (NSCDC), the Federal Road Safety Commission (FRSC), etc
- Representatives of women and youth groups in the seven states

Analysis

The data from field interview were analysed on the basis of the research reports produced by the field researchers and within the overall framework that emerged from the literature review. The thematic framework developed from the literature review was employed to structure the main areas of focus for the study as outlined in the interview guide. It was therefore used to sort, group and interpret key recurrent themes that emerged from the interviews.

Ethical issues and challenges

The main ethical issue that emerged during the field study was the confidentiality of respondents. Most of the respondents insisted on their anonymity during reporting. This concern was common among respondents who occupied sensitive positions but who wanted to offer frank information on the role played by the police in election as well as the influence of powerful political elites in shaping those roles. This concern was addressed with adequate explanation of the overall purpose of the study and a guarantee to protect the confidentiality of the respondents was given by the researchers.

A major challenge that was experienced in the field was the non-availability of some key government officials and official bureaucracy. The police organisation proved particularly difficult to obtain formal interviews at certain levels, as approval had to be sought and granted. The FCT and Benue State Commands were examples of where interviews were rescheduled many times due to the need to secure approval before certain officers would grant interviews.

Chapter Three

Review of the Literature

There has as yet been no systematic study on the role of the police in the electoral process in Nigeria, even though this is a critical aspect of democratisation and the consolidation of democratic governance in the country. The history of elections in Nigeria has been that of high levels of organised violence that appears to overwhelm the capacity of the police. In addition, there has been a groundswell of public opinion against the NPF which is generally seen as a willing tool employed by politicians to intimidate opponents and members of the public in order to steal elections. Yet, existing analyses of elections and democratic development in Nigeria have conspicuously ignored the all-important role that the police play in the security of elections and the consequent credibility of the democratic process in the country.

The body of literature that has come very close to linking the police and elections in Nigeria have been the reports of various election observation and monitoring projects by a number of local and international organisations. These organisations include the European Union (EU), the National Democratic Institute (NDI), the International Organisation for Sustainable Development (IOSD), the Transition Monitoring Group (TMG), Alliance for Credible Elections (ACE), and the CLEEN Foundation, *inter alia*. A few other grey publications have also emerged on the conduct of elections in the country since 1999, with aspects dedicated to the role of security forces in general. Yet there has been no study solely dedicated to the role that the NPF plays or fails to play, the factors that facilitate or inhibit those roles, how those roles or their absence have impacted on the outcomes of elections and how their contribution to election security can be enhanced.

A crucial point of departure for such analysis would be to examine the role that police forces (or services) are mandated to play in relation to elections, and to assess the extent to which they have performed those functions as well explore the explanations for their performance. Presumably, the major role of security forces during elections is to maintain public order and to create a

favourable climate in which peaceful and credible voting could take place. As aptly pointed out by the TMG (2003: 140), security forces are required to play the crucial roles of guaranteeing the safety and security of the electorate and a neutral political environment free of intimidation, coercion or violence for all stakeholders during democratic elections. The emphasis in the above is on the entire security apparatus in general, including other non-police security agencies. This applies very much in conflict and post-conflict settings where the fragmentation or decomposition of police agencies (sometimes, of the state itself) necessitates an increased role for military forces in public order functions. However, the maintenance of public order in normal times is usually an exclusive function of the police and the role of the police needs to be examined separately as a distinct sub-set of the security sector.

The Police Act of 1943 assigns the overall responsibility of internal security, including the maintenance of law and order to the police. Although the act does not mention elections specifically, functions ascribed to the police are expected to be performed at all times. Other relevant legal instruments which provide for police roles in elections include the Electoral Act (2006), the Criminal Code (1990) and the Police Service Commission (PSC) guidelines (2003). The PSC guidelines offers the most elaborate scope for police involvement in the electoral process, and particularly hinges the success of elections in the country on the conduct of police officers on election duty. It specifies 7 key functions that the police should play:

- safeguarding the security of persons and their property during the campaign period and voting
- ensuring the safety of electoral officers before, during and after elections
- providing security for candidates during the campaigns and elections
- ensuring and preserving a free, fair, safe and lawful atmosphere for campaigning by all parties and candidates, without discrimination

- maintaining peaceful conditions, law and order around the polling and counting centres
- providing security for electoral officials at voting and counting
- ensuring the security of election materials at voting and counting centres and during their transportation thereto (PSC 2003: 9-11)

The Electoral Act defines what constitutes electoral offences and assigns the role of security during the electoral process to the police.

An important element of the Electoral Act (EA) is that it deals with offences before and after actual voting. This is very important because security issues during elections are critical in Nigeria not only during voting but also in the course of the electioneering campaign and after voting has ended. The build-up to the 2003 general elections in particular, as observed by TMG (2003: 2), were characterised by political violence, including assassination of prominent political figures, attempted murder of political opponents and disruptions of campaign events.

In addition, the Independent National Electoral Commission (INEC) publishes periodic guidelines for every election. Though not directed at the police, the guidelines (INEC) vest the responsibility of ensuring order at the polling station on the Presiding Officer and compel police personnel serving at the polling station to take orders from the Presiding Officer. This may have been done to minimise the abuse of force by the police, but it creates its own problems as it does not permit the police to take initiative in the face of security challenges.

The task of ensuring safety and security of elections can therefore be seen in three phases: before the election, during the election and after the election. At the pre-election phase, the police ought to ensure that no security breach or disruption hinders the registration of voters. If necessary they can participate in investigations to ascertain the eligibility of candidates in accordance with the relevant laws. Where permissible the police can also assist with the deployment of electoral materials, provide security for all party activities and

candidates, provide security at conventions, rallies and other activities related to the electoral campaigns. There is also scope for exploring interaction with non-state actors as a strategy for curbing the rate of insecurity and violence in the society. During the election, the safety of polling stations and security of all persons that have legitimate reasons to be at the polling stations form part of the responsibilities of the police. After the elections, the attention should be on the actors that have the responsibility for declaring the results of the elections. Effective conflict resolution skills are required, while party headquarters and individuals should also be protected to ensure that there is stable and secure social climate until all the election results have been announced and the winners sworn in.

In actual performance, the examination of existing literature shows that the security agencies, particularly the police, have not only failed to provide adequate security for the electoral process but have themselves become a central element of the security problems associated with the history of elections in the country. Most of the organisations which monitored previous elections generally indict the security forces and report that security agents were out to collaborate with and protect the ruling party. The 2003 election in particular witnessed the complicit role of the security forces, as captured in the report of the Justice Development and Peace Commission (JDPC):

“In most of the polling stations the *security forces* did nothing to prevent hijacking of ballot papers by political thugs ... Rigging was peacefully done in the form of ballot box stuffing by mainly PDP party agents collaborating with polling officials ... the ruling party ... with the connivance of some INEC officials and the security officers, unleashed fearsome intimidation against its opponents and succeeded in carrying out massive rigging of elections...” (JDPC 2003: 20-37).

Under such conditions, both opposition parties and election observers are agreed that security agents have aided the victory of the ruling PDP in all the

facets of recent elections (Ajayi: 63). As noted by Alli et al. (1-2) and Ekundayo and Koleoso (2004: 7), the call by the coalition of twenty-nine opposition parties under the umbrella of the Conference of Nigerian Political Parties (CNPP) for the rejection of the results of the 2003 election was based on the observed roles of the security forces as aiding the ruling PDP's victory at the centre and state levels. According to the TMG report on the elections of 2003 (TMG 2003: 140), security agencies had been used by politicians to intimidate opponents and to rig elections, leading to a loss of confidence in the security forces by opposition parties during the Second Republic. The report also highlights the inability of the security forces to resolve a number high-profile, politically motivated assassinations in the build-up to the 2003 elections. One key lesson from the above analysis is that security forces have demonstrated a lack of capacity to grapple effectively with the challenges of security in elections.

The police in particular have been singled out, not least because it is the only agency with the statutory responsibility for providing and maintaining law and order during elections. A manifest area of this capacity deficiency is police manpower for election duties. According the report of the TMG (2003: 143), one third of the police deployed for election duty were constables. Constables constitute the lowest rung of the police hierarchy with the least experience and training in routine law enforcement generally, let alone the more challenging application of law enforcement under the politically charged climate of elections. This challenge becomes more glaring when the police-to-population ratio in Nigeria is taken into account. With over 120,000 polling stations spread across the States of the Federation and a total police manpower of about 312,223 as at 31 December 2008 (the rank and file were about 263,425), adequate policing of elections in the country is a huge challenge to face (NPF: 2008). Rampant violence before and during voting, according to other reports from various parts of the country, have always overwhelmed the capacity of the police and it is observed that many police personnel have been killed in electoral violence. One documented instance was the killing of police officers in Ofu and Idah local government areas of Kogi State (Vanguard, 15 April 2007). As documented by Sam Egwu (2007: 289), there was an overall balance of terror across the state between the two main contending political parties,

the People's Democratic Party (PDP) and the All Nigeria People's Party (ANPP), both of which resorted to the use of armed party militias. High level violence was also recorded in Lagos State, particularly in the run-up to the 2007 elections in which high profile aspirants were assassinated (Ighorodje 2007: 315). The killing of Mr Funsho Williams, an aspirant of the PDP in the state, shortly before the party's nomination throws this observation into bolder relief. What is striking in all of these cases is the failure of the police to prevent or counter prevalent insecurity and election-related violence.

The detrimental implications of this institutional failure are colossal for good governance in the country. The inability of the police to contain rampant political violence during elections exacerbates the disenfranchisement of women and vulnerable groups in the process, for instance, and consequently reduces the scope for participatory democracy. Nwankwo (2007: 63) highlights this point by showing that the use of violence (armed thugs and youths) to intimidate opponents scared women out of competitive politics. Interestingly, among the police, female officers are most vulnerable in the face of armed thugs. During voting in the 2003 election in Borno State, it was noted that Governor Ali Modu Sheriff employed violent gangs (the so-called *ECOMOG* or *SAS Super Youths*) to wrest power from the former governor, Mr Kachalla. In the process of this campaign of violence, female police officers were assaulted (Mu'azu 2007: 223-230) and the police did not have the capacity to take measures against such incidents.

The literature also highlights the twin factors of police corruption and political influence on the police which serve to undermine their effectiveness in the provision of security for elections. It is argued that chronic corruption within the police organisation makes the police highly susceptible to compromise and bribe-taking from wealthy politicians to influence the outcomes of voting in favour of pre-determined candidates. A particular case was noted in Borno State where the police colluded with the ruling party and supervised electoral fraud by agents of the party in the 2007 elections (Mu'azu 2007: 232). In Edo State, Abutudu and Obakhedo (2007: 252) observe that electoral violence was carried out by 'big men' (state officials) with their police escort and hired thugs (252) in Etsako East, Benin, Ikpoba-Okha and Akoko Edo, leading to

loss of lives and properties. Evidence from other states reveal similar trends: the politicisation of the police and how that compromised security and the credibility of elections. Reports from Kogi State (Sam Egwu 2007: 289) show that the police, with support from some military personnel, helped the current ruling party to victory in the state. The relationship between the police and military on election security was even more complex in more turbulent states. Where there has been an already existing security conflict between the military, the police and militias such as Rivers State, soldiers were involved in killing police men and giving their weapons to party militias during the election of 2007 (Naagbantun 2007: 378).

The areas in which the police have been considered to have failed in election security are diverse and many. The report of the Electoral Reform Committee (ERC) set up by the Yar'adua Administration in August 2009 captures the sum of popular complaints against the police in relation to elections. The most frequently cited allegations of police electoral misconduct include partisanship and discrimination against the opposition party; functional ineffectiveness to prevent and contain electoral crime; and complicity in fraud through brutality, intimidation, vote snatching, among others (ERC Report 2008: 174). There have also been documented allegations of specific instructions from Police Headquarters to all State Commands that its officers and men should ensure the success of the PDP in recent elections (Ayoola, 2004: 1-2). The report of the European Commission Election Observation Mission (EC 2007) also emphasises the various dimensions of police partisanship: arbitrary arrest and detention of opposition supporters before and during elections by the police, without charges; banning of rallies and campaigns mounted by the opposition; and flagrant impunity of violations committed by the members of the ruling party (PDP).

Yet, in spite of this general failure of the police to guarantee security for elections across the country, the literature suggests a few instances where the police performed effectively in relation to electoral security. During the 2007 election, Ighorodje (2007: 317) notes that the police displayed a high level of professionalism during actual voting across Lagos State, and were so voter

friendly that they did not have to carry fire arms. This is a very interesting observation which suggests that the Nigeria police (or elements of them) could actually guarantee security for elections under certain conditions. It is therefore crucial to explore the conditions under which the police have performed their statutory mandates effectively and to identify what factors facilitate or obstruct police performance with regards to election security.

The main question to be asked here is why do the police perform well in the provision of security for elections in some instances and fail to do so in other instances?

The conditions which determine this variation could be located in three broad areas: the legal or policy framework of policing and democratic elections, the operational capability of the police organisation to perform electoral functions, the philosophical disposition of the police personnel deployed for election duties. These lead to four major issue areas that need to be explored further from the foregoing review. They include the statutory mandate of the police in elections, the actual performance of police personnel on election duties, the institutional preparation of the Nigeria police for electoral functions, and the major challenges of providing safety and security during voting. These issues constituted the major questions that drove the field research. The next chapter presents the report of the field research in the 7 states and FCT.

Chapter Four

General Overview of Findings

Introduction

In this chapter, broad observations across the case studies are presented. The presentation of these observations is categorised according to the framework developed in the previous chapter, which include the statutory mandate of the police on elections, the actual performance of the police in relation to election duties, the institutional preparation of the Nigeria police for electoral functions, and the major challenges of providing safety and security during voting.

Electoral mandate of the police

Understanding of the statutory mandate of the police on election functions was crucial to the study. It is not possible to assess the role of the police in electoral processes, or even define public expectation of what that role should be, unless their responsibilities on electoral issues are clearly understood and shared in the society. The relevant statutory mandates therefore provide the necessary benchmark against which the actual performance of the police is measured.

The study showed that the statutory mandate of the police in relation to elections was generally understood to consist of provision of security for the people and electoral materials during elections. This is the broadly shared understanding across the social spectrum in all the states where the study was conducted. This understanding itself stemmed from the logical extension of the understanding of the overall mandate of the police in the country. The police had always been well understood as the agency of the state with the responsibility for internal security, law and order, and crime control. The police are expected to perform these functions at all times and in all contexts including the context of elections.

However, this understanding tended to be more profound among civil society actors and officials of the INEC. These groups were familiar with the various laws and guidelines with provisions for the electoral functions of the police.

These include the Electoral Act of 2006, the 1999 Constitution and INEC guidelines as well as the guidelines issued by the Police Service Commission (PSC). To a lesser extent, some elements of the police (mostly senior officers) cite the Police Act and the PSC guidelines.

These last two categories saw the application of these functions in three phases of the electoral process, namely: the period before, during and after voting. In the before voting period, the voters registration exercise was considered as crucial in the electoral process. Civil society particularly considers this exercise as the stage where electoral crime originates and on a massive scale. The most commonly committed crimes at this stage are the registration of under-aged persons as well as *ghost* (fictitious) voters and multiple registration of voters in different polling stations, among others. The police are considered to have a crucial role to play at this stage which goes all the way to impact on the outcome of voting.

The police are expected to monitor the movement of registration materials from the national headquarters of INEC in Abuja to respective registration centres. The case of INEC registration materials (data capturing machines) meant for Oyo State which ended up in the private house of a PDP leader in the state, the late Chief Adedibu, was commonly cited as a high-profile instance pre-voting crime which police were expected to prevent. Another critical juncture during this phase is the movement of voting materials between INEC headquarters and polling centres. While most stakeholders focus on irregularities committed on voting day, civil society actors particularly observed that the post-voting phase was very critical to determining outcomes and when most serious crimes are committed. They noted that sensitive materials such as ballot papers, ballot boxes and result sheets were easily altered before final results were announced where they were not well protected by the police.

Actual performance of election duties

The overall verdict that emerged from the study is that police performance of election security function has been very poor. With the exception of the last elections conducted in Anambra, Lagos and Kano States, the police were found not only to have failed ‘woefully’ in protecting the electoral process

from fraud and violence but most importantly, to have been at the centre of the worst irregularities. The police either looked away while fraud is committed in their vicinity, run away where violence breaks out, or collude with the ruling party and their militias to inflict violence (on the opposition and voters) and commit brazen electoral fraud. Several reasons were adduced for this failure, the most common among which is the weakness of the institutional capacity of the police to meet the security challenges of elections in Nigeria.

However, in Anambra, Kano and Lagos States, the police displayed performance that ranged from 'exceptional' to 'very good'. The February 2010 election in Anambra State was regarded as a showcase of exceptional performance by the police in the history of elections in the country. Evidence from all the other states studied point to the exceptional action of the police in the Anambra elections, particularly during and after actual voting. It was observed that the police recorded this high level of performance mainly because they deployed adequate manpower to cover the entire state and this helped in preventing irregularities.

In Kano and Lagos States, the study revealed that the police performed very well, even though there were incidents of low level irregularities. Findings from the study demonstrate a variation of effectiveness of the police in the performance of their function of securing election across a range from 'very satisfactory' to 'woeful'. In Kano, the police were particularly singled out for effective resolution of disputes at the polling centres and this helped prevent escalation of mass violence and consequent fraud. In the case of Lagos, the role of election monitoring by civil society groups as well as non-state policing groups were the decisive factors. Civil society actors were actively engaged in the process and were able to deploy their monitors across the state. This helped to put the police under pressure to take a neutral position during the process. On the other hand, non-state police actors (mostly community-based neighbourhood watches) were instrumental in bolstering the capacity of the police through joint patrols and visibility of force.

Institutional preparedness for electoral duties

Even when the police are fully aware of their statutory functions in relation to elections, the level of their performance is a direct function of the extent to which they are prepared for those roles. Three key components of such preparations are funding, training and deployment.

Funding of the police for election functions is crucial to police capability to fulfil their expected roles. Officers and men on election duties would need to be able to patrol their areas of jurisdiction easily, communicate incidents as they emerge, and meet personal subsistence needs as well as other contingencies while on election duty. All these require prior careful planning and deliberate budgeting. However, the study shows that the funding of the police for election duties has been informal and haphazard. In Kano state it was found that some undisclosed amount of money was disbursed from the Force Headquarters in Abuja for election purposes. Though not indicated in other states, it assumed that this would be a uniform practice which applies to all the states. In addition, INEC supports the police through some deliberate security budget through which money is disbursed to the hierarchy of the police at the state level. While these two sources of funding appear legitimate, they are neither institutionalised nor verifiable. There was no evidence of a standing fund within the police organisation for such monies to be paid into and managed. Worse still, whatever money is transferred to the state commands of the police does not trickle down the lowest ranks for whose welfare it was intended.

The study also identifies an absence of a deliberate programme for training the police for election functions. It was evident from the report that senior officers give briefings to officers and men shortly before they depart for duty. Such briefings are usually put together in a hurry and lack depth in terms of content. In most cases, briefings involved the reading of the Electoral Act and the PSC guidelines, at the expense of long-term approach towards reorientation and attitudinal change. There was no case in the study of any standing, long-term deliberate programme or even plan for the police.

Equally important is the deployment or posting of officers for elections. According to the study, the police have a standard practice of posting key

officers shortly ahead of elections. However, the explanation for this practice is mixed and controversial across the states. The police justify this practice as a strategy for shuffling officers so as to break any emotional attachment with local politicians in order to guarantee the neutrality of the force. This position is also supported by officials of the PDP. However, opposition parties, civil society actors and members of the public were of the view that such postings were political and authorised from the highest political and strategic level to ensure that the police supervise and facilitate the victory of the ruling party.

Operational challenges

The challenges that face the police in the discharge of their election duties are common across the states. They include inadequate manpower, poor logistics, political control, low welfare and motivation of the rank and file and corruption in the wider society. The weak manpower of the police for election duties is a decisive factor of success or failure. More often than not, police personnel at the polling stations were too few to control the crowd or prevent massive violence that usually goes along with fraud. Logistics for transport and communication are also a huge challenge in all the states. In many cases the police had to rely on vehicles provided by INEC to go to their duty posts. In some cases, such vehicles were provided by some 'generous big man' but such assistance contributes to the moral compromise of the police on duty and their susceptibility to manipulation. The police are also used to making distress calls through their personal cell phones at their own costs, without getting reimbursement. Feeding on duty is so poor, particularly for junior officers and men, that they had to rely on the 'generous' politician again and again. Such treatment created low motivation in the men and consequent dereliction of duty or even support for the generous politician. A notorious challenge is the lack of professional autonomy of the police and the resultant control of the organisation by politicians. It is practically impossible for the police on the ground to reject orders that have been passed down from the 'top', even when such an orders are obviously partisan. This is closely related to the endemic corruption in the wider society which exerts undue pressure on the police to succumb. The police are a part of the society and it is extremely difficult for them to project moral excellence in the context of institutionalised political corruption, which partly relies on the police for survival.

Chapter Five **Anambra State**

Introduction

Until the last election of 6 February 2010, Anambra State had been host to some of the most fearsome displays of electoral violence and large-scale fraud. In some of the spiralling election-related violence in the state, the police had been a central player and key protagonist. Between 2003 and 2006, when Mr Ngige was Governor, the police worked closely with competing local PDP stalwarts against the governor. The police withdrew the official security aides of the governor and unleashed and watched PDP militias invade the seat of government on several occasions. Many allegations of police collusion with the PDP in the incident were made against the police high command and they were never denied.

Against this background, the 2010 election was approached with a high degree of national apprehension. The anxiety was heightened by the fact that it was the only election to occur at the time. It was to occur at a time when the results of the 2007 election in several states had been overturned by the judiciary while several others were still being contested in the courts. In addition, the incumbent Governor Peter Obi had come to power in 2006 after the courts annulled the electoral victory of Mr Ngige of the PDP. The election of 2010, therefore, was very significant as it marked a battle to reclaim the seat of government that had been controlled by the ruling party at the national level (PDP) since 1999.

A total of 35 face-to-face interviews were conducted in Awka, the capital of Anambra State. The interviews targeted a cross-section of stakeholders, including police officers and men, INEC officials, civil society practitioners, civil servants, students, political parties and members of the public.

Electoral mandate of the police

Respondents generally viewed the role of the police during elections to include the provision of security for the voters, ballot boxes and electoral materials

from the point of collection to the booths and to the collation points. Their roles also include the prevention of violence and other election crimes as well as maintenance of peace, law and order during elections. This awareness was generally shared among the main stakeholders and provided the basis for a widespread expectation that the police would deliver security during the electoral process.

Actual performance

In previous elections held before the February 2010 gubernatorial election, the respondents observed that the police failed woefully to live up to their responsibilities. The 2003 and 2007 elections were marred by gross irregularities with the complicity of the police and politicians hired the services of the police to perpetuate fraud. A civil society activist noted that the police failed in Onitsha Ward 1, where ballot box snatching was recorded. All over the state about 10-15 cases of ballot box snatching were recorded in Fegge, Nkpo and Dunukofia. In all, the police were seen to be totally biased in the 2007 elections, as they went out to serve the interest of powerful political forces. Even where the police had the will to provide security they lacked the operational capability to do so. In the 2003 and 2007 gubernatorial elections the police men were overwhelmed by thugs and could not control the outbreak of violence at the polling centres, apart from taking part in rigging elections and perpetuating fraud during those two elections. Their salary was so low that they were easily compromised through monetary inducement from politicians. Apart from low remuneration, the study showed that the police in the state were so corrupt that it had been very easy for politicians to compromise them in past elections through bribe taking.

However, the gubernatorial election of February 2010 was judged to be a watershed in the performance of police duties by nearly all the people interviewed. The study demonstrated that the police conducted themselves well this time around and secured the polling materials, unlike in the past elections when each politician parades his own voters register, voters' cards and ballot papers with impunity at the voting centres. The decisive factor, according to the respondents, was the heavy police deployment from different zones of the country to the state for the election. According to respondents, with 36,000 police men operating in the state this deterred hoodlums from

committing electoral fraud. It was observed that during the last election the police posted at Umueri refused to take orders from politicians. The police aides of politicians were also withdrawn for the period of voting and this helped in cutting the influence of politics on the work of police. Other key factors identified by respondents include the watchful presence of civil society monitors as well as the clear directive from the IG of police. These compelling factors put the spotlight on the police to perform according to standards.

Preparedness of the police for election duty

The general level of preparation of the police for election in the state was very poor. In terms of training for election duty, the police in Anambra never had, and still do not have, any special standing programme. What happened was some kind of briefing which the police hierarchy and INEC gave to police officers, who were then expected to pass on to the men. In most cases, as the study revealed, the officers never offered any such further briefings to the lower level rank and file, many of whom did not have a clear understanding what their specific operational duties were other than the overall functions of providing electoral security. In terms of funding, respondents were not sure of any standing fund meant for elections, though they felt there should be some kind of stipend which may not be sufficient. Worse still not all low level personnel received even the meagre stipend.

Until the 2010 election, the deployment of the police in Anambra appeared to be one of the most controversial in the states studied. In the 2003 and 2007 elections, the posting of police officers was judged to be driven by the political and police leadership at the national level. Most respondents, apart from senior police officers, were convinced that the state command of the police received express instructions from Abuja to ensure that the governorship of the state was wrested in favour of the local leadership of the PDP. However, the pattern of police deployment took a more positive dimension in the 2010 election. It was not the usual 'posting away', but rather an overwhelming deployment of manpower from other states to support the officers and men that had already been on ground. The posting was done on an *ad hoc* basis and the reinforcements were returned to their original posts after the elections were concluded. In addition, the process of the deployment was credible and received public support.

Specific operational challenges

The massive deployment of manpower reinforcement in the state provided a disguise for serious operational challenges facing the police in the performance of election functions. At the conclusion of the election, all the police resources that were concentrated in the state were withdrawn back to the states they were deployed from. This means that the past challenges the police had faced in the state have remained largely unaddressed and the police would still have to repeat the same concentration of resources to repeat the feat of 2010 in future elections in the state.

A major challenge mentioned by various respondents is endemic political interference at the highest level. The study showed that the ruling PDP at the national level is keen on recapturing the control of the state from the seeming populist bent of leadership that had come stay since the days of Governor Ngige. Because the police organisation is strongly controlled by the presidency, it is very difficult for the police to successfully resist any move by the ruling party at the national level to use the police to influence the outcome of elections in the state. The study also revealed that what made the difference during the 2010 election was the change of strategic political leadership and the ascension of the Acting President who had no personal interest in the outcome of the that election.

Another underlying challenge which was temporarily covered during the last election was the complete lack of requisite logistics to facilitate operations during elections in the state. These are mainly transport and communications logistics, whose inadequacy had exacerbated, police lack of ability for autonomous initiative and perpetual dependence on powerful local politicians for their operations. Insufficient welfare was also cited as a serious challenge for the police. Newly posted police men to the state for the election often did not have accommodation, food, water, and other allowances. The welfare provision has been so bad that police men on election duty find it very difficult to feed themselves during voting. All these factors undermined morale and made officers and men highly vulnerable to political patronage and control.

Chapter Six

Benue State

Introduction

Benue State is a traditional PDP stronghold where the opposition has been very weak. It is therefore expected that elections in the state would be determined by mainstream politics at the national level. Yet, since before the independence of Nigeria, the peoples of the state had had a political history of forging autonomous identity and self assertion against what was perceived as hegemonic politics, both within the state and between the state and the larger national political space. Elections in the state therefore provide a crucial avenue for determining the balance of power between very latent political forces.

Although the PDP has consistently won elections in the state since 1999, successive elections have witnessed growing tension and contestation of results in the courts at various levels – the national parliament, the state parliament and the local government councils. These are indications that the elections and their results have been steeped in controversies, including the security of the electoral process. It is important therefore to assess the performance of the police in the security of elections in the state. A total of 29 interviews were conducted in Makurdi, the state capital. Those interviewed included representatives of civil society organisations that work on issues related to elections, senior officials of political parties (ruling and opposition), senior and junior officers of the Nigeria Police Force, officers of the National Security and Civil Defence Corps, INEC officials, state government officials and members of the public.

Awareness of the role of the police during elections

All the people interviewed displayed a clear understanding of the role the police is expected to play in the conduct of elections. This role consists in the maintenance of peace and ensuring orderliness by guaranteeing security during

elections. A very senior officer at the police headquarters in Makurdi defined the role of the police thus:

“Provision of enabling environment to ensure security for commencement of elections and total protection to citizens and electoral materials during elections”.

Actual performance

The performance of the police in elections in the state since 1999 was rated low and judged to be below expectation. The police have only been able to provide security at the polling stations in the major towns, particularly the capital city, Makurdi. In contrast, they have not been able to protect voters and electoral materials or undertake crowd control in smaller towns and villages. This is mainly because the strength of the police as it is currently deployed in the state for elections cannot meet up with the demand for security at polling stations, according to most of those interviewed. This is particularly so in small towns and rural communities. For instance, in Guma local government area, a rural local government area, the police were observed to have watched helplessly as thugs carted away ballot boxes during the 2007 gubernatorial election. Similarly, in Ushongo local government area, a representative of the civil society cited a case thus,

“In Ushongo Local Government where a returning Officer was knocked down by thugs and electoral materials taken away, including the kidnap of electoral officers in the presence of police men”.

Others cite the overbearing influence of the ruling party in the state as a strong factor. As a result of this second factor, the police were involved in intimidation and assault of the opposition in order to secure the victory of the ruling party, including the snatching of ballot boxes. The structure of the police and its dependence on the presidency is seen as a major factor of this political control. It has also given the police a false concept that their loyalty

is to the incumbent government or leader as opposed to the state and masses at large. According to a woman leader of a civil society organisation that works on gender issue, the police

“...sometimes protect unscrupulous politicians at the polling stations even when these politicians act contrary to laid-down rules”.

A concrete instance of the above was cited by a senior official of the Benue Non-Governmental Organisations Network (BENGONET) as follows:

“...during the last governorship and senate elections (2007), votes from Otukpo were delayed at the ‘B’ Division (of the police) in Makurdi until the result was announced in Abuja before votes got to INEC office which was a stone throw away”

The overall observation was that while the police performed well in term of maintaining security at the polling stations, their major failure was in the safety of ballot boxes. This observation is crucial because, while the polling centre may appear peaceful, the eventual result of the election is determined by what happened to the ballot boxes before or after voting. A former INEC ad hoc staff put this succinctly:

“...they have performed high in keeping the peace at polling booths. They have however performed below expectations in winning voters’ confidence due to lack of...professionalism in carrying out their roles in elections”.

Preparedness of the police for election duty

The general low performance of the police was blamed on poor preparation. A civil society representative cited “improper preparation for the election and official negligence on the part of the authorities” as the bane of police

performance. Most of the interviewees, including police officers and men, were not aware of any special pre-election training programme for the police apart from some level of orientation they receive shortly before going out to the field. Nor were they aware of any manual for the purpose of training the police in preparation for electoral functions. Many of the respondents gave answers to questions about training were “not sure” and “not aware”. The answers were so terse that they suggest there was not much to talk about on training.

While most people interviewed were not sure of any dedicated fund for the police, but as civil society activist argued, “rumours of non-payment of allowance” point to an existing fund which has not been properly disbursed to cater for those whom it is meant for. There were suspicions of some funding coming to the state command which, by some means, was not filtering down to the low level men at the polling stations. This suspicion was not verifiable at the time of the study, but showed that if there was any kind of funding for police election functions, how it operated was not clearly understood even by the police officers and men.

Furthermore, it was found that the state command of the police did the posting of its officers and men shortly before elections. The police defended this practice as a deliberate action aimed at enhancing the neutrality of the newly posted officers in their new place of assignment. This position was also supported by a staff of INEC who averred that such postings “brings about efficiency and effectiveness in the conduct of police during election”, without mentioning the details of how efficiency and effectiveness were promoted.

However, the explanation for this deliberate posting, according to most of the non-police respondents, lied somewhere else. The practice was generally seen as a deliberate attempt by powerful politicians to put in place officers who would be favourably disposed towards them and their candidates. Usually, as the study reveals, it is the ruling PDP that is favoured in the outcomes of voting through such postings. An ANPP official alleged that

“Yes, these deployments are carried out in most cases to favour the ruling party”.

Whatever the real intention of the posting, the process has generated much controversy and is shrouded in mystery. Members of the public remain highly suspicious and lack confidence in newly posted officers.

Specific operational challenges

The police in Benue State face challenges that were generally agreed upon by the various stakeholders. This include poor logistics, inadequate manpower, poor funding and welfare, lack of focused training, greed in the police, and lack of professional autonomy to conduct their official electoral duties. The common lack of logistics is operational vehicles to transport personnel to duty posts and for routine patrol during voting. The implication of this is that many police had had to depend on the local politicians for the transport, while patrols hardly ever occurred. In addition, the police lack equipment for communication, apart from their personal cell phones which they are reluctant to use because of the cost of operation and because they are hardly ever reimbursed when they use their personal phones.

In addition, the poor welfare and working conditions in the police was cited as a crucial factor. Basic needs, including food at the duty post, were not accessible to police men who served in many of the polling centres. Many of the police men (rank and file) interviewed complained bitterly about the hunger they suffered while they were expected to protect the integrity of elections. In order to survive this dilemma, most the police men resorted to depending on wealthy politicians for basic feeding and other forms of minimal support. Articulating the operational challenges the police face, which affects their performance during the elections, a civil society leader in Benue State argues:

“...the parlous state of the police force. The welfare of the policeman cum quality of life is too low. The police are reduced to beggars at the mercy of money-bag politicians; therefore take the politician’s dictates. The policeman needs

education and adequate training to perform efficiently...The police, no doubt, face challenges in area if poor logistics, training, freedom to conduct their official duties and poor welfare, among others.”

Another challenge identified was presence of police men other than those officially deployed at the polling stations was also observed as a major challenge to the professional operation of the police in Benue elections. Some police officers interviewed were aware of other police officers apart from those formally deployed at the voting centres. Many of such ‘unofficial’ officers, it was claimed, were aides of highly placed politicians and state executives, deployed by the government on request. The unofficial police usually engaged in intimidation of voters and ballot snatching in collaboration with the party of their principal. It was also observed that even where such unofficial police were not involved in fraud their very menacing presence was enough to intimidate voters and members of opposition parties. In a focus group discussion, officials of the NSCDC confirmed they have witnessed a situation whereby

“...the police had had to follow certain politicians wherever they went during election. They even clear the way for the politicians who never queued.”

Furthermore, it was found that the state command of the police did the posting of its officers and men shortly before elections. While the police defended this policy as a deliberate action aimed at enhancing the neutrality of the newly posted officers in their new place of assignment. However, the explanation for this deliberate posting, according to most of the non-police respondents, lay somewhere else. The practice was generally seen as a deliberate attempt by powerful politicians to put in place officers who would be favourably disposed towards them and their candidates. Usually, as the study reveals, it is the ruling PDP that is favoured in the outcomes of voting through such postings. Whatever the real intention of the posting, the process has generated much controversy and is shrouded in mystery. Members of the public remain highly suspicious and lack confidence in newly posted officers.

Non-state policing of elections

Non-state police actors actually helped in ensuring safety and security during elections by supporting the police or even doing their job where they were not present, particularly outside the capital city. This was very much evident during the 2003 and 2007 elections in the state. However, non-state actors were also susceptible to manipulation by the politicians, and this calls for caution in their engagement for election security functions. Nevertheless, some of the interviewees, including senior members of an opposition party and police officers noted that non-state security actors helped to augment the police where their power was short. They called for collaboration between a 'disciplined police' and enlightened non-state security actors. This is necessary given the low level of police manpower.

Chapter Seven

Lagos State

Introduction

The contestation of elections in Lagos state has been very keen in the history of democratisation in Nigeria. The state has always been the melting pot of Nigeria's demographic diversity. It is home to most of the country's politicians of a radical leaning and has represented the bastion of opposition politics in relation to the mainstream politics of the federal government. Elections in the state had therefore been a battle of ideology and survival between the two ends of the political spectrum. Lagos is also home to many of the most vibrant pro-democracy civil society groups in the country and elections have therefore been an issue of popular social mobilisation in the state. Other civil society groups involved election monitoring in the state had rich experience in the area of policing and police reform. Given this context, the employment of force in elections was regarded with utmost importance by all the stakeholders in the state.

The study generated enthusiasm in the state and many of the respondents were keen to see desired changes in the role of the police in elections. A total of 25 interviews were conducted in Lagos State. The interviewees include officials of INEC and LASIEC¹, market women, members of political parties, business men/women, personnel of the police, representatives of relevant NGOs, members of youth groups and the general public.

Electoral mandate

There was a high degree of civic awareness in the state and it was no surprise that the study found a general awareness among those interviewed (including women's groups and people who were least educated) that the police are meant to maintain law and order during elections and ensure that the integrity of elections is protected. The relevant responsibilities of the police as understood by the interviewees include security for both INEC personal and materials,

¹ Lagos State Independent Electoral Commission

security of voting centres, protective escort for electoral officials and materials to various polling units and to collation centres after the elections, and prevention of electoral fraud in general. A market woman at the Ilupeju Modern Market articulated the electoral role of the police as follows:

“...to stop people from voting multiple times during elections to prevent election rigging. When such persons are caught, they should be arrested (by the police).”

Actual performance of election duties

Generally, the people interviewed expressed satisfaction with the performance of the police during the 2007 general elections, which is a marked improvement from the previous elections since 1999. The police were generally seen to have performed their statutory functions fairly well during the election in the state and were instrumental in ensuring adequate protection of the electoral process. This observation was made by the majority of people interviewed, including INEC staff, members of the public and market women, apart from the police which expectedly gave themselves approval. There were however instances where respondents expressed dissatisfaction with the performance of the police.

Of the people interviewed, INEC officials were of the view that the police performance during the 2007 election was good. An instance of exceptional performance that was cited by an INEC official was the bye-election in Ibeju-Leki of the state. The security and peace of the bye-election was contrasted with the Ekiti gubernatorial elections in 2009 during which, according to the official,

“...journalists and election monitors and observers were beaten while the police were supposed to ensure security at the polling units”.

This variation, according to the official, was due to a lack of political will to ensure secure and credible elections in Ekiti. According to him,

“...there is no commitment on the part of the police hence they can turn a blind eye to allow things to go wrong and not do anything about it”.

A senior official of the ruling AC attributes the variation to the improved political consciousness and new vigilance of the public, chiefly civil society, which helped to augment the monitoring role of the police:

“In the last 2007 elections in Lagos state, the efforts and contributions of civil society by defending their votes and ensuring that the people’s votes counted helped to reduce the violence in Lagos and police had less to worry about in the state...and knowledge of their rights by a greater percentage of the electorate in Lagos made Lagos different”.

Three key factors were found to be responsible for this relative high performance of the police. One was the active, watchful role of the civil society. Local civil society organisations in the state were fully mobilised for the elections and their watchful presence put pressure on the police to perform their role. The police were fully aware that their conduct was being watched and so ensured they worked well and were guided by the electoral laws during elections. Secondly, the heavy deployment of the police was decisive with more than 27,000 police men on ground during the elections. This created high police visibility which in turn served as a potent deterrent to would be trouble makers. There were no incidents of violence or loss of police personnel during the elections as reported by the field researchers. The third factor is the support of other security forces, particularly the military. This support was decisive in ensuring safety and security of the elections as the capacity of the police was stretched to the limits.

However, this overall good performance was marred by pockets of police corruption. Incidents of superiors telling their men to look the other way and allow elections to be rigged were found during the elections. This undermined

the potential for excellence in police performance in Lagos State. A business woman puts it like this:

“This is not only in monetary terms but could also be in kind like getting position or gaining access to some resources. So you find the superiors telling their men to look the other way and allow elections to be rigged”

Member of the public interviewed confirm this trend. Police performance in their opinion has been below expectation particularly because of corruption and alliance to the government in power. According to a particular business woman at the Ojodu market,

“The police who were supposed to be there to ensure that people do not rig and cause violence were more interested in what they could gain from politicians...police superiors are more often compromised and play out the script of the ruling party”.

Related to this, the Police were usually used by the ruling party against the opposition. A senior police officer observed that,

“...Action Congress (AC) being the ruling party, it is expected that they should win the election in an area and when anything is going contrary they would want the police to arrest their opponents and when you refuse, the police become a target for the AC thugs and the police on the other hand are handicapped because there is no vehicle to even escape the scene should an problem occur”.

In concurring, a senior official of an opposition party in the state, the Democratic Peoples' Alliance (DPA), rated the performance of the police low but put the blame squarely on politicians. He reported that,

“Usually election rigging is already pre-planned to happen either before the election, during or after the election and so the police do not have a direct role to play in it. The politicians are the ones that manipulate them by virtue of their relation with the police”.

A variation of this trend is the use of police orderlies and escorts by politicians at the polling stations. An official of INEC observed that some politicians even

“...go as far as having thugs dress like police men coming to the centres. They (the thugs) are the ones who go out of their way to create havoc during elections and, with the police not armed; there is little they can do but also to run for their dear lives”.

In the words of an AC official,

“...whether they are real police or fake is difficult to ascertain because where some desperate politicians go as far as sewing police uniforms for their thugs who assist them to rig the elections and cause violence in the process”.

In addition, fraud took place in the riverine areas of Lagos during the 2007 election where there was no police presence. A representative of the opposition DPA observed that some of the political thugs had warned him to ‘steer clear to allow them carry out their rigging’. The thin presence of the police in such areas also made it possible for them to be overwhelmed by well-armed party thugs. It was also reported that, where the police were far from the watch of civil society monitors, they colluded with the party thugs to snatch ballot boxes.

Preparedness for election duties

In spite of the relative high performance of the police, there has not been any known, deliberate training programme, apart from briefings that were given to officers and men before going out on electoral functions. According to a senior officer, they were taken through the electoral laws and regulations by experts from outside the police for them to fully understand the laws and their roles prior to the elections of 2007 in Lagos State. The training lasted for 4 days and was held at the police officers' mess. At the end of the entire exercise, the electoral act was distributed to officers. There were further lectures from respective divisional police officers to the men in their divisions before the men are deployed to their election duty posts. A member of the ruling party (AC) thought that the "seminars and workshops organized for the police" did not have much impact on their performance.

Whatever may be the content of this training, it was not known to members of the public or even key stakeholders. If it had been a robust, standing programme, such key electoral institutions as INEC would have been aware. But a senior official of the organisation interviewed initially affirmed that the "police were trained like any other group ahead of the elections to prepare them". However, when probed further of knowledge of any manual for such training, he had "not seen the manual but is sure there should be one for the police" and was "not aware how the trainings are delivered". A senior official of AC (the ruling party in the state) also was "not aware of the content of the workshops..." The foregoing goes to show that if there were any training on the security and credibility of elections in the state, it is not well-known among key stakeholders.

Funding of police on election duties is one key area for preparing the police adequately for electoral security. There was no concrete evidence of dedicated funding of the police for this purpose. A staff of INEC at Sabo-Yaba, who had put in 20 years of service, stated that he was not sure of any such stable or predictable funding mechanism, but only "...expected there should be adequate preparation in the area of funding made to cater for movement and welfare of police officers on electoral duties".

A market woman who said she was not aware of any such state funding was familiar with police dependence on assistance from politicians. In her words, "...politicians that contest elections sometimes provide food for the police at polling stations". This was confirmed by the Vice-Chairman (a senior official) of the AC in Odi Olowo/Ojuwoye Local Coouncil Development Area (LCDA), who had no knowledge of any such funding arrangement. Rather, what he observed at the LCDA was that the party (AC) assisted the police by "providing logistic support in terms of moving the police men during elections".

Most of the responses obtained on the subject of funding were based on speculations. While money may be provided for this purpose, allowances for electoral duty to police men are hardly ever disbursed. According to an INEC official, this is responsible for the low level of motivation on the part of the officers. This situation is further worsened when the police men are aware that the money would have been disbursed but there is a perceived understanding that the money will not be paid to them at the end of the assignment. The failure of the police authorities to ensure that the budgetary allocation for the police gets down to end users who are the policemen on the ground encourages corruption and complicity on the part of the police.

Posting of the police shortly before elections is also practiced in the state as part of the preparation for elections. Respondents are aware of a deliberate pre-election deployment strategy. This was seen by INEC officials as positive since, according to them, it helps to reduce the influence police officers may have based on sentiments for any individual or party known to them. An INEC official argued that "objectivity would be assured if the police officers are moved around". In support of this view, police officers interviewed held that such deployment strategy has impacted well in Lagos because the police command makes efforts to prepare and warn the men as they go out on election duty.

However, others were of the opinion that the strategy does not help because an officer who is redeployed on the eve of elections will not be aware of the state and terrain and cannot be expected to function effectively. An AC official was of the opinion that the practice had not been introduced positively, arguing

that “people, including the police, are not patriotic and do not believe in the Nigeria Project” and so would take personal advantage of the posting.

Specific operational challenges

There was recognition that the Nigeria police still lacked the operational and institutional capability to perform their role effectively during elections. Shortage of manpower was identified as a major challenge for the police. In places the police did not perform well, it was observed that the number of police officers assigned to the polling stations is usually inadequate and this poses the challenge of manning the polling units effectively. This was most visible outside the Lagos metropolis. A second challenge identified is the centralised structure of the police. The centralised chain of command contributes to causing delays where the Divisional Police Officer (DPO) has to obtain approval from the Area Commander who in turn requires approval from the CP before deploying police men to INEC designated centres and this slows down police response to major threats.

Other challenges listed by most respondents include poor logistics, poor welfare and the consequent low morale, poor training and corruption. On welfare and motivation, a senior official of INEC singled out the non-payment of electoral duty allowances to police men. This, according to him,

“...is responsible for the low motivation on the part of the officers. This situation is further worsened when they know that the money would have been disbursed but there is a perceived understanding that the money will not be paid to them at the end of the day”.

Logistics is a particularly serious challenge. An ASP of police in the state, in describing the problem, is quoted as follows:

“...movement of police men to and from polling stations is usually a big challenge and if a problem arises at the polling centre, the police officers detailed there cannot effectively evacuate from the area to

request for assistance. The training we receive is to ‘first save yourself then others’”.

Another serious challenge is the peculiar political climate of Lagos. The state is the hotbed of political competition in the country and elections assume extreme dimensions of political competition. In the previous elections, the study found that political thugs were involved in using police uniforms to commit violence. A respondent was quoted as saying,

“...some desperate politicians go as far as sewing police uniforms for their thugs who assist them in perpetrating electoral fraud and violence”.

This trend not only gave a negative impression of the police, it also made it very difficult to exert internal discipline in response to public complaints against police violence during elections. One human rights activist interviewed expressed a dimension of this trend as follows:

“Politicians buy guns for their thugs, who the police cannot measure up to”.

Other respondents also cited the general national political environment within which the police operate. The strong political control of the police at the highest level hampers the enforcement of laws, such that even when the police know what to do in response to electoral crime, they are not able to do so because the crimes are political and are committed by powerful politicians who control the police or are supported (at least tacitly) by those who control the police. As the study found, there had been many cases of political crimes, including murders that were closely related to elections in Lagos, which have remained largely unsolved.

The presence of ‘unofficial’ police escorts in the vicinity of voting is also a challenge for the police in Lagos. Brought to the polling centres by powerful politicians, these unofficial police take orders only from their political masters.

Respondents witness that the orderlies of politicians in the polling centres have committed crimes and were not arrested because they were 'protected'.

The challenges of policing elections in the state necessitated a role for informal security groups. Informal policing structures in the state were found to be very helpful in the enhancement of security of elections in the state, particularly during the 2007 election. The study revealed there was a large support among stakeholders to engage community-based neighbourhood watches, provided they were properly trained and reoriented. In fact, it was clear from the study that any such formal-informal collaboration should start at the level of training, preferably joint training on intelligence gathering and sharing. Yet, some of the respondents expressed reservations with the use of vigilantes for election security because they are seen as parts of the local politics, and "the political parties can take advantage of them and use in truncating the electoral process".

Chapter Eight **Edo State**

Introduction

Since 1999, Edo State had been a stronghold of the PDP until very recently when the AC succeeded in taking control of the state government. Some of the key officials of the PDP's highest national decision-making organs are from the state. These officials had therefore been under political pressure to maintain PDP dominance in government. The entrance of the populist labour veteran, Comrade Adams Oshiomhole, in the electoral contest of 2007 under the banner of the opposition AC brought the pressure to a breaking point. That election became one of the most keenly contested across the country at the time, featuring the employment of a variety of means for ensuring electoral advantage, including the use of force.

As usual, the police were caught in the middle of that election and played important roles in relation to the use, misuse or non-use of force. The research covered a wide range of respondents, including senior officials of the state government, representatives of the INEC and EDSIEC, members of the ruling and opposition parties, representatives of women and youth groups, the NGO community, senior and junior personnel of the police and members of the public. In all, a total of ten interviews were conducted, including focus group discussions.

Electoral mandate

As in other states, the statutory mandates of the police in relation to elections were clearly understood among a wide range of the society, including the police themselves. The mandates were understood to essentially include the creation of safe and secure environment for peaceful and credible elections, devoid of violence and crime. A volunteer staff of a civil society organisation put the mandate this way:

“Duty and responsibility to ensure protection of lives and property; need to curb violence during

elections; ensure a conducive atmosphere; police presence curbs malpractices and reassures legitimate voters”.

Actual performance of the police during elections

Actual performance of policing functions as recorded by the study was poor in Edo State. The police were generally seen to be so laden with corruption that they could not help compromising their standards during the election. A civil society representative reported that “... they are playing their role but not to their full capacity”. The reason is that

“They are challenged with corruption which has permeated the system; not all centres show violence; some of them are bribed and so makes them turn a blind eye (not all of them are corrupt) so you see where you have good officers, elections were carried out in a peaceful atmosphere”.

He also noted that corruption in the police has led to truancy such that “police officers did not get to the polling stations on time”. He went to elaborate that “Where they (the police) have received bribe in respect of a particular unit; they would not go there at all”. He also linked police corruption to the lack of their functional autonomy and the political control of the force by the politicians: ‘I would love to see a situation where the government of the day does not have the power to control the police authority’.

Another indicator of police under-performance is their failure to work closely with INEC right from the planning stage so as to be able detect and prevent fraud at the pre-voting phase of the electoral process. According to him,

“...police ought to work hand in hand with INEC on forensics to prevent forging of ballot papers...ought to be involved at the initial planning process. They are called upon after the plan has been made...for implementation. If they are part

of the planning process, it would be easier for them to implement”.

Police high handedness and commonplace violation of human rights with impunity at the polling centres were also noticed. A member of the public was very bitter when he complained that ‘I know it is not easy to control crowds but during elections you will see how police are molesting people that have come to vote; which discourages people from coming out to vote’. Overall, elections in Edo State have got worse and worse since 1999, in terms of the ability of the police to curb violence and fraud. A particular account given by a civil society activist that is worthy of direct quote suggests that the:

“1999 election was full of violence and malpractices. They tried their best by carrying out patrols ... at that time they had a lot of gaps; in 2003 due to the power of incumbency their role was not too effective – the government of the day influenced their participation – the government influenced their role and performance – people were at the polling stations where electoral materials were never brought. They were not too effective in 2003 because of the power of incumbency – the government of the day would tell them where to go and what to do. Areas that were ‘close to open spaces’, where international monitors etc were present – the police presence was observed because the government paid attention to those areas to make an attempt at protecting the image of the government and the electoral process.

Of the 2007 elections, he had this to say:

“The 2007 election was more of a battle field – the police tried – mobilized themselves to some

polling stations – it was a strong battle the ruling party tried to manipulate the process, but there was a strong opposition in Edo State so the rate of violence was high”.

The police were so ineffective in diffusing the tension of the 2007 election that voter turnout was low as people stayed back home out fear. This was aptly narrated by one of the respondents thus:

“...there was loss of lives and property in areas where police presence was lacking. ...in remote and semi-urban areas, for example Ikor local government where ballot boxes were smuggled. Two centres in my area can be used as examples. The centre where I voted, the police did not come on time. People on ground tried to convince people coming around to stay and vote but most people left because they were not comfortable staying without visible police presence. The other closest centre to me had a strong political figure so there was snatching of ballot boxes and molestation even though there was police presence. The thinking of the people was that the government in power had informed the Divisional Police Officer (DPO) to ‘back off’ because they were in charge. The police were not the ones that tried to curb the malpractices – it was members of the public and thugs from the opposition party that stopped snatching of ballot boxes, etc”.

Preparedness of the police for election duties

The study found out that the preparation of the police for election in the state was grossly inadequate. Training, in particular was very poor, as observed by the respondents, one of whom noted that “the colonial legacy still had a face on the training schools, with hostels not in ideal conditions and dehumanizing

conditions during training”. He further noted that this general training for police was more ‘physical’ and had nothing ‘intellectual’. Apart from the traditional training in police colleges, most respondents said that they were not aware of any training manuals for police on elections.

This was also the case with funding; many respondents were not aware of any dedicated funding of police for election duties. A respondent referred to the secrecy and confusion surrounding issues of police funding thus: “you will always hear from the news that govt has released certain amounts to mobilize the police; you hear but you do not see it. For example in Edo State – we can see the buses/jeeps donated by the State Government and we see them using them but that is not the case with the Federal Government”.

Operational challenges

Most of the challenges the police face in the state during elections centred on gross inadequacy of manpower and logistics. The deficiency of manpower made the strong deterrent presence of the police at the polling centres impossible. On logistics, staff of a civil society organisation interviewed noted that the police “would have a patrol team for a whole ward”. A ward comprises many communities and this means that the police were not able to mount effective monitoring of events through patrols during elections or even be able respond to multiple situations of emergency within a ward at a time. Other elements of logistics challenge emphasised include a glaring lack of communication devices, which makes the police unreachable when there was a challenge in the field and the difficulty of mobility, particularly in the riverine creeks.

It was generally agreed among those interviewed that the police had suffered from a lack of commitment on the part of the state (successive governments). This was indicated by a poor welfare package, poor remuneration and the lack of life insurance cover that would guarantee that their dependants are well taken care of. One of the respondents during the study remarked thus: “you cannot mandate the police to be faithful where their welfare is not ideal”.

The restriction of the police from carrying firearms at the polling centre was seen as a very big challenge for the police. Keen observers noted that the policy put the police in an inferior position in relation to well-armed electoral thugs who unleash violence during voting to enforce the victory of their political sponsors. One observer interviewed held that,

“...last elections the government did not allow them (the police) to carry fire arms; they were only allowed to carry their batons. But we know the type of people we have – thugs that are there to ensure that their parties succeed at all costs. Where police do not carry arms it is not good. There is need for training on crowd control”.

The police do not like the present method of disbursing funds for the police officers who help to monitor elections directly to their boss at the police headquarters for many times they end up not giving the officers the approved amount.

Chapter Nine

Federal Capital Territory (Abuja)

Introduction

The FCT has a different political configuration from the states. Whereas the states elect their respective Governors as chief executives, the chief executive of the FCT is a cabinet minister appointed directly by the president. The FCT, however, is composed of local government areas which elect their council officials. The absence of an elected governor helps to decentralise political competition and has an effect in neutralising the political space. In addition, different parties have controlled the different local government councils since 1999. The combination of these factors has meant that the usual struggle for the control or capture of apparatuses of centralised government by particular parties is not as strongly visible as is the case in the states.

Secondly, Abuja has been the most closely resourced territory when in terms of public service delivery, including policing and conducting elections. It is the seat of the federal government, where most public resources are concentrated. The presence of the presidency and the most senior government officials means that state agencies are under unusual pressure to perform. In particular, the headquarters of the NPF and INEC are located in Abuja together with their highest leadership and their best human and material resources. The police have therefore tended to perform the functions of maintaining law and order and of guaranteeing safety and security better in Abuja than in the states.

In addition, most international agencies and domestic civil society groups (NGOs and media houses) with interest in democratic governance have their head offices in the FCT. What all these mean is that the capability, competence, support and pressure from the melange of international, state and societal forces for credible elections are, by far, higher in the FCT than in the states. The police, in particular, are put on the spot from all quarters to deliver the highest level of security for the electoral process. The study covered responses from the police, the National Security and Civil Defence Corps (NSCDC),

international NGOs, donor agencies, the civil society, ruling and opposition parties, women and youth groups, the INEC, as well as the Ministry of Police Affairs and the Police Service Commission. A total of 30 respondents were interviewed.

Electoral mandate

Again, and without any specific reference to police and electoral laws, there is a general awareness that the police are to provide and safety and protection of the electoral process. This includes the protection of lives and election materials. Most of the people interviewed, including the personnel of the police understood the responsibility of the police as that of safeguarding the electoral process against violence and various forms of electoral fraud. This understanding is equally shared among women and youth groups.

Actual performance of the police during elections

On balance, the police were judged to have performed low in relation to their statutory role of ensuring law and order and guaranteeing a credible process of election. Fewer respondents said that the police were effective in electoral roles. The study showed that the insecurity of elections has grown worse with each successive election since 1999.

Respondents revealed that there had been many complaints against the police. One of the major weaknesses is the inadequacy of manpower deployed for election duty. The number of police personnel deployed is too small to meet security challenges at polling stations.

A second important variable of performance is corruption. Many respondents identify the susceptibility of the police to bribery and corruption as a major failure factor. A Consequence of this failure is that the police were seen to have exhibited biases in favour of pre-determined outcomes, particularly in the interest of the ruling party. A member of the Transition Monitoring Group, a coalition of civil society organisations dedicated to monitoring of elections in the country, condemned this prevalent political bias of the police as follows:

“They (the police) are not supposed to be chasing voters away unnecessarily; they are not supposed to accompany politicians to the polling booths”

Similarly, a staff of the Centre for Democracy and Development (CDD), a civil society organisation on governance, deplored what he called the close “interactions between political parties and the police on the process of election”. In support, a staff of another election monitoring civil society network, Alliance for Credible Elections (ACE), cited the inability of the FCT police to prosecute electoral offenders as well as provision of “security to thieves who are looting and stealing ballot boxes” as evidence that they were “serving established political interest and power of incumbency”.

Yet, while the low level of election security broadly was acknowledged, some would not place the blame on the police. At the Ministry of Police Affairs, a staff pointed at the weakness of political institutions for the overall failure of election security.

Preparedness of the police for election duties

Preparation for election appeared to be very minimal if non-existent, as most of the respondents reported a shared lack of awareness about training, funding and deployment of the police for election. Many respondents report that they were ‘not aware’ of pre-election training programmes for the FCT police, nor were they aware any manual for such training. As a result there were no proper training on election issues for the police and, as a staff of the PSC put it, ‘not many of them are even aware of electoral offences’.

Many of the people interviewed also confirmed a general lack of knowledge about the funding of the police for election duties, even among those stakeholders who presumably should know. One senior staff of the FRSC captures this vague awareness thus:

“I am not aware of dedicated funding before election, but during electoral duties funds were being given”.

This suggests that either there is no deliberate funding mechanism or that such a mechanism is highly mystified, unpredictable and operated without transparency such that its impact on the effectiveness of police electoral function cannot be assessed.

Operational challenges

This has also been linked to the support challenges the police face, including the inadequacy of logistics, funding, men and material for election-related assignments. The most recurrent challenge that was identified by respondents is “poor welfare package”, which referred to provision of subsistence (food and contingencies) for officers and men on election duty. The “lack of motivation” was commonly identified as a direct result of this poor welfare condition.

There is also a number of policy challenges to police operations. One of those challenges was identified as “presidential supervision” of the police. This refers to the overwhelming control of the police hierarchy by the president and the consequent lack of professional autonomy on the police side. A senior staff of the FRSC used the term “undue pressure” in a veiled reference to the influence of political control of the police at the highest level, which conditions the overall posture and behaviour of the police during the election.

In addition, the policy which gives supervisory power to the Presiding Officer over the police at the polling centre was considered as a serious challenge to the effectiveness of the police. Police officers and men do accompany politicians during elections, and this is not supposed to be so. Related to this policy challenge is the permission of police escorts for politicians into polling centres. According to a senior staff of the PSC,

“This practice had led to politicians using the police in the past to commit electoral crimes, even though the Commission making effort to end this practice”.

Chapter 10

Kano State

Introduction

Kano state is the second most populous state in the country. Located in the northern part of the country, Kano state boasts of having produced some of the most radical politics in the region and represents the heartland of the core north. Thus the political control of the state is crucial for the political control of the north. The state was controlled by the ruling party at the national level, PDP, in 1999 but was captured in the 2003 election by opposition All Nigerian People's Party (ANPP) which has remained in power to date. This has meant that the two most populous states in the country (Lagos and Kano) are controlled by the opposition. Elections in Kano State have consequently been keenly contested by all the major parties, particularly the PDP and ANPP.

For the purpose of this study, a total of 26 face-to-face interviews were conducted in Kano city, the capital of Kano State. The interviews were held with senior officials of the police in Kano, local NGO actors, civil society, youth groups, women's groups, officials of INEC and the Kano State Independent Electoral Commission (KANSIEC), political party officials and members of the public.

Awareness

The study demonstrated a common understanding of the role of the police as providing security during election, including protection (including voters and electoral officials) for persons and voting materials as well as mediating conflicts at the polling station. The police were fully aware of their expected roles in election to include the maintenance of law and order to make sure that the conduct of elections is free and fair. There were nuances, though, in the emphasis on the expected role of the police. The most common expressions used by the police had emphasis on law and order functions (violence control). Elements of the police leadership interviewed were quoted thus:

“...maintain law and order to make sure the conduct is free and fair”; “guarding the conduct of

election...”; “we post our men to all polling stations and anything incriminating it is our duty to take action...our own is purely police work, protect electoral officers, electorate, election materials and orderliness of the polling station”; “Ensure adequate protection of life and property, life of voters, INEC materials and observers”; and “Protection of life and property and to ensure very free and fair election. Violence free election”.

The responses from the civil society tended to be more comprehensive and specific. The representative of the Nigeria Bar Association, Kano, put the electoral function of the police like this: “Maintain law and order, protect INEC officials from intimidation and materials in bringing them to polling stations and even to collation centres”. A labour union leader argues that police are to:

“Ensure free and fair election, deter anybody that would cause confusion at polling station, ensure what the party agent and electoral staff are doing, escorting the boxes to collation centres”.

The KASIEC gave the most profound understanding of the electoral mandate of the police. A very senior official gave his understanding as follows;

“The police have three key roles. They are our witnesses when we are distributing election materials. Secondly, they are our guarantors in the delivery of those materials to the right places. Finally, they give us security coverage during casting of ballots & at the collation centers. They do not disengage until the results are announced”.

Actual performance

Over all, the performance of the police during the 2007 elections was judged moderate. The police personnel interviewed expressed satisfaction with their performance in terms of providing security for election personnel and materials as well as mediating conflicts in polling centres, although they admitted that the 2003 and 2007 elections were hampered by problems of accessibility, distance and logistics. A few members of the public also confirmed this positive assessment of police performance. One civil servant interviewed used the words “very excellent” to qualify the performance of the police. Similarly, a youth leader observed that the police did their job well and “do the very best in the areas they are told what to do”. They are seen to be most effective in troubleshooting conflicts at the polling areas. The chairman of the National Youth Movement, Kano chapter, aptly puts it this way:

“When people are trying to create confusion and commotion they (the police) are very effective”, although he was quick to add that “When they don’t have working materials and vehicles”, police performance tended to be low”.

A senior official of the KASIEC responded that,

“Yes, sometimes our people will be waylaid and they will throw away everything. It is only the police who will bring them back. Sometimes they were rounded up. It was only the police who could disperse everybody and take custody of the materials and in some others they were locked and there are cases of arson - if not for the police, the story would have been different.

Some elements of the civil society supported this positive observation. A human rights activist particularly emphasized the visibility and effectiveness of the police at the polling centre: “Staying from the start to the end and escorting the ballot boxes to the collation centre”.

Yet, there were dissenting views regarding the performance of the police. According to the majority of the respondents, the police performance has been below average. The police do not even seem to understand clearly their role in the electoral process. In addition, the police were reported to have been involved in intimidation of voters and in looking the other way when electoral frauds were committed. A researcher at the well-respected Centre for Research and Documentation (CRD) pointed out the inadequacy of the police during elections as follows:

“...some may allow themselves to fall into doing things they are not supposed to do. Police are accused of intimidating people, police some times do look at somewhere else while something is happening during the election, for instance buying and selling of voters card, etc, and maybe it is because of their inadequacy... police are not intervening to bring order at the polling station when the place becomes so chaotic, they also allowed themselves to be used by politicians”.

Some civil society representatives accused the police of partisanship by taking sides with particular politicians and facilitating malpractices. A labour union leader captures police complicity in electoral crime thus:

“They don’t. When they lead the boxes to collation centres, some boxes are missing... They do not do what we expect them to do. They are inadequate and connive with politicians”

Another civil society leader averred that “politicians were giving orders to police officials on what to do at the polling stations”. Even the ruling party in the state, ANPP, observed some gross misconduct with police. A very senior official of the party complained that,

“To some extent they do but there something they should not do. They are for everybody, even though they are receiving directives from the top but they should try to be for everybody”.

Truancy was also observed with the police on election duty. One INEC official interviewed pointed to this as a major gap in police effectiveness:

“Yes, there are so many gaps in some cases. If they are posted to a polling station they don’t go even if they go they normally don’t stay up to the closing hour”.

In some cases, the police are so few on the ground that they are not able to restore order in situations of violent conflict at the polling centre, or respond to distress calls. Furthermore, the police are not visible on the streets during elections for deterrent purposes. The inability to provide effective security for elections has been attributed to many factors, prominent among which is inadequacy of manpower, particularly outside the main city. This predicament was expressed graphically by an official of the KANSIEC as follows:

“...Sometimes they (the police) have to go round. So if they are at position A, before moving to position B the people (with fraudulent intentions) in that position may have apprehended (the ballot boxes) and done whatever they have wanted. Secondly, there are gaps when their attention is distracted or they are threatened...”

In support, an INEC official lamented the falling level of police effectiveness on election security, but puts the blame on institutional factors. For him,

“Rowdiness during election; destruction of materials is so rampant nowadays. They are inadequate and the materials. They are handicapped... They are handicapped and inadequate in number. It is when they exhausted the

primary assignment that we should think of additional roles. The imbalance of the man and materials cannot allow you to say they (the police) have not performed... inadequacy of logistics, lack of vehicles, and no concrete arrangement for their logistics”.

Other factors commonly identified include the absence of training; low morale; faulty recruitment practice; poor funding; as well as corruption and interference from the political class.

Preparedness for election duties

The police hierarchy in the state felt they were adequately prepared for election functions. This is particularly in the area of funding, where the findings were discordant. A very senior police officer in the state command admitted that the office of the Inspector General of police in Abuja provides money for them. This was taken further by a senior staff of the KASIEC, who claimed that,

“...there is a special fund given to the police during election from the Federal Government, State Government and Local Government”

However, one INEC official interviewed revealed that financing had solely come from INEC which supported the police with some stipend for election duties. Even then, he doubted if such financial assistance “ever gets to the hands of the lowest police men who actually man the polling centres, where welfare incentives are most needed”.

This means that if there were any official funding arrangement at all, it has not been transparently and effectively used to impact police performance. The civil society representatives interviewed were particularly “not aware” of any dedicated funding of the police for election purposes.

The police themselves reported that there were no training manuals on elections, though some senior officers referred to the existence of training and retraining. However, the absence of such manuals means that there is no sustained training programme with special focus on elections. Two police officers interviewed separately referred to some workshops on election duties which the CLEEN Foundation organized for them, in conjunction with the Kano State Command of the force. However, the workshop was a one-off event as opposed to a sustained programme of training.

The study also showed that while the police received briefing before the election, this took place only at the state headquarters but never at the local or community level. According to a senior police officer, “senior officers are briefed and are expected to further brief junior officers”.

Yet, no such training preparations of the police were known to civil society. A leader of the human rights community said he was “not aware” of any such training programme. One member of staff of INEC, who has long experience of working with the police on elections, declared that preparation may take place at the state command level,

“...but not at the local level. Police need training especially at the local level”.

Pre-deployment of police for election duties is also a common practice in the state. According to a senior police officer, the state command of the police undertakes posting of officers and men two (2) days before election day. This, it is claimed, was done to facilitate the work of the police and to make them more effective in dealing with electoral fraud.

In terms of funding, an Assistant Commissioner of Police in the state declared that the police force in the state used to provide allowances for those going to the field and to some extent servicing of vehicles.

Operational challenges

The major challenges the police face in the securing elections have been identified as a lack of clear job description, inadequacy of personnel, poor

welfare conditions (leading to low motivation) paucity of logistics (particularly vehicles, communication gadgets) and equipment (including weapons and security equipment such as CCTV for monitoring). A senior female police officer ranked logistics as the priority need of the police, followed by funding:

“Logistics first, and when going out we need to go out with money”

Another senior female officer emphasised that it was important to have funds before going out for duty in order to ensure basic survival. She strongly argued this point thus:

“Financing before going out, we need some amount to buy food and water at polling station not payment after the exercise

The interrelationship between logistics and funding was brought out by a female high school teacher, who also added the subordination of the police to the discretion of the INEC Presiding Officer at the polling station to the list of problems:

“Particularly financing and it involves everything like vehicles, communications and equipment, and police are not supposed to be under electoral officer

The basic requirements for police operations were found to be grossly inadequate, and this informed the overall positive assessment of police performance. This inadequacy was aptly summed up by a human rights activist thus:

“They lack facilities. In fact everything”

The Anambra State election of February 2010 was identified by many of the respondents, including senior level police officers, as a model where most of these challenges were adequately met. A crucial factor for the huge success in

Anambra State the high level of manpower deployed to the state and this was lacking in Kano State. A Police Constable interviewed lamented that the

“Inadequacy of manpower could not allow police to control the polling station effectively”

Relations with informal policing structures were found to be cordial. Senior officers of the police confirmed this relationship, claiming that the informal groups were usually offered friendly invitation to participate in security duties under the control of the police. A leader of the human rights community in the state corroborated the utility of informal policing groups thus: “once they see any signal they would quickly inform the police”

The subordination of police men to the authority of the Presiding Officer at the voting centres was identified by police officers as a major policy constraint that hampers police initiative in responding to electoral crime. A member of the public recommended that the police should be given the authority to arrest offenders at the polling stations. Others argue for effective implementation and enforcement of the existing law on elections.

Chapter Eleven

Enugu State

In Enugu state, the study covered 36 respondents , including top level politicians, members of Nigerian Bar Association , civil society groups , students , local government officials , medical personnel, members of the media , general public and the police . The study took place in Enugu city at a time that INEC was undertaking a recruitment exercise and so INEC officials were not able to take out time to be interviewed. For reasons that were not very clear, officials of the Enugu State Independent Electoral Commission (ENSIEC) also could not grant the request for interview.

Awareness of the role of police electoral functions

The study shows that there is a clear shared understanding across the social spectrum of the role of the police in elections in all the stages (before, during and after voting). The police are seen as critical in ensuring the following:

- Maintaining peace and order
- Ensuring that political thugs are kept away from the polling booth
- Ensuring that election materials are safely moved from INEC custody to the various polling stations and booth
- Ensuring that election materials are delivered to the collation centres and back to the INEC office, at the end of voting
- This deep understanding was re-echoed by a politician thus:
- “If we have to look at the role of the police in elections in Nigeria, we may have to break it down to manageable sub heads, we can determine their roles prior to the elections, they are supposed to part of the voters registration, ensuring g law and order, they should be active where the INEC official are displaying voters list. They are also

supposed to ensure the movements of voting material at every level in the electoral chain the role of the police is very critical, even sometimes more important than that of the INEC”.

- A former AC candidate for the House of Representatives, who is also a legal practitioner, argued that the Police Act defined the universal functions of the police at all times, which applies to election periods:
- “They are no statutory roles under the Electoral Acts for statutory functions of the police that is to be expected because already the Police Act has clearly defined the functions and responsibilities and duties of the NPF, including the Maintenance of law and order, throughout the country. The Electoral Act perhaps has no need to duplicate it. Maintenance of law and other at all times, regardless of the political season in the country”.

Actual Performance

Most of the respondents are convinced that the police are capable of safeguarding the security of elections. However, in reality the police are judged to have performed very poorly and this is linked to the observation that they are usually compromised by the political parties during elections through financial inducements. As a result of this pressure, they often become partisan and align themselves to particular political parties or politicians. In consequence, the police go beyond their statutory roles to aid and abate fraud in elections, including collusion with thugs to intimidate voters. An opposition politician from the AC illustrated this partisanship of the police and its impact on the credibility of elections:

“...their collusion with the ruling party is integral and fundamental to the inability of the country to have a free and fair election. When we talk of the failure of elections in Nigeria, we are simply talking

about the failure of the police and INEC, because they make rigging and cheating possible to take place”.

He further elaborated,

“The police ought not to be partial in the treatment of the various political parties. In 2007 (elections), they did not act like a neutral federal police, they were partisan, and they acted like a police with a vested interest. It is because they have failed to perform this functions that you find INEC handing over results to one of the political parties.... It was not a case of rigging, because there was no elections, the electoral materials did not find its way into the polling units. This could not have been possible without the connivance of the police. It is the police that allowed INEC and politicians to take away sensitive electoral materials, at the polling units where you have electoral officers and agents of political parties, it is the police that should ensure law and order, but they are antagonistic to any other party apart from the PDP”.

The failure of the police to arrest and prosecute perpetrators of widespread fraud and violence was also highlighted as an indicator of their partisanship:

“There are electoral offenses in the electoral act, section 135, 136, 138, but you ask since the 1999, that we started having elections, have the police arrested any one on election rigging and malpractice, yet we hear of rigging here and there. On April 14, 2007, during the governorship and presidential elections in Amagu Nze in Nkanu

LGA, people were waiting for materials in the police station, the police station was just opposite the local government head quarters, on that day some PDP thugs invaded the place and shot two persons in front of the police station, the police looked the other way as if nothing happened. And people took to their heels”.

An Assistant Superintendent of Police involved in election duties in the state admitted that,

“When we go to return materials, at returning centres, the most senior police officer becomes the one to issue orders, whatever he orders stand. Although politicians try to use money to buy the policemen, but it all depends on individuals. It also depends on the leadership of the police from the top. And election is a crucial programme in Nigeria, and before they send anyone to man elections, we must be sure that the person must deliver, you don’t just send anybody. So the problems that arise in elections are only amongst politicians, not the police”.

The particular failure of the police to guarantee electoral security in the state was also linked to their alleged overall failure as a security institution at all times. One of the politicians interviewed put this persuasively:

“Their performance during elections is only a mirror of their general performance at all times. Their performance in elections cannot be divorced from the general inefficiency and non-performance in the whole country. It is just a carry-over”.

In addition to the above, the police lack the operational capacity to deal with high level violent electoral crime. For instance, it is reported that political thugs in the state are usually more effective and more daring than the police. A very senior official of the ruling PDP in the state argues:

“...for instance in a situation of elections and there is not enough police men to go to the ward to man a policing booth , sometimes you find 4 police men for a ward and that ward has 21 or 30 polling booths, so how do you want to divide the 4 police men to 30 polling booths. Then that 4 police men are poorly armed, not even with a baton or gun or a bullet, they are sometimes very weak and old, such that the young men do not even regard them as police men, so they go all out to do what they want to do. So there is nothing like policing of elections in Nigeria as far as today is concerned. Even in the urban areas, you don't have enough personnel that are equipped to do that job. Most of the little that you see there will compromise automatically, because, they can't enforce the law. The only thing is that when they find competition, they take side with the winning party or ruling party, they easily take side, where ever they feel that the wind is blowing, they will go with the wind”.

Elections in the state have witnessed such a level of violence that the regular police have always found difficult to cope with. The police, who are not allowed to bear arms at the polling stations, had so frequently been overpowered by fiercely armed youths that some respondents advocated for the use of the more potent anti-riot MOPOL. An official at the State Secretariat observed that,

“They (MOPOL) are more effective and more daring; they are more likely to deal with...there are thugs imported from other places for the purposes

of elections; Umuleri and Aguleri youths are ready thugs for politicians during elections”.

Yet, worse than failure to respond to security challenges during elections, the police were found to be at the centre of electoral fraud. An executive of a civil society gave a vivid instance where the police supervised violent electoral fraud:

“In 2007 the people were prepared indeed to resist electoral fraud and to protect their mandate and prevent rigging. I was a witness at the CBN branch in Enugu where the electoral materials were stored, in the morning of the election, we realized that the electoral materials which would be used in recording the results in all the wards were already dispatched. Some of the political parties that came and identified this thing resisted that the electoral materials would not move until the electoral materials were complete. It was like a vigil, the thing held on until around 12 noon on the election day.... There was a phone call from the 82 division commander and next there was a platoon of their men, who moved in and was shooting sporadically and tear gassed the whole place, the people ran, and the electoral materials eventually left, so the police supervised what was a no election. There was no election indeed, because as soon as the result left the CBN office, the results were released. It was comical to say that anyone won the election, there were no elections”.

Another vivid experience of police direct involvement in electoral crime was narrated by a legal practitioner who took part in monitoring the 2007 election in Nsukka:

“... I would say the police performed really, really below average. We were coming from INEC office. The vehicle that was carrying election materials was moving very slow; they told us that the vehicle was bad, and this was after 2pm and the police were purposely telling the people the vehicle was bad. And suddenly on getting to the next town (Opi) the vehicle sped off and the police blocked the road and people no longer knew where the voting materials were. Then suddenly some people wearing police uniform came and started shooting, so people ran away. I ran away with a reverend father. We took to our heels and the police were laughing at the people, because we knew the police couldn't protect us. Eventually the result was announced. They went to the house of the former Secretary to the State Government where they did all the doctoring of the materials”.

Operational Challenges

The challenges that police face in performing their role during elections are well known, not only to the police but to the rest of society and they are more or less the same across Nigeria. These challenges vary from paucity of logistics (including vehicle for transportation of personnel in the field) and equipment (including firearms and communication devices) required for rapid response to election-related crime. There were instances when the police were overwhelmed by better armed thugs and forced to abandon their duty post to save their own lives. A civil servant with the State Government described some of these major challenges as follows:

“There are issues of logistic. The entire Independence Layout (in Enugu) has one vehicle... the fact that he is not well armed is also another challenge; and not willing to sacrifice his life. When there is gun fire, you find the police somewhere

listening to the sound of the guns. Some of them do not want to play any role because there is no insurance for their lives... the entire vehicles that police use in Enugu is provided by the state government. Initially the police used to hire taxis to do their work. They lack training; it takes nothing to churn them out of the police college. It is important that the police understand that it is in their interest to have right persons in power, even their living conditions can be improved, they should ensure a level playing ground for the wish of the masses to emerge”.

Another (senior) government official put it this way:

“There are no special provisions for logistics such as communications, the ones they have were provided by the state government. But it is usually not enough”.

The problem was framed by an AC politician this way:

“The police is ill equipped in terms of arms, vehicles, communications gadgets to be able to cope with the dynamic trends in the society, the police is ill motivated and cannot possibly be effective when membership of rank and file are not motivated. The fact that there is no insurance cover for the police, it is impossible for the police to stick out their neck even during elections unlike elsewhere...”

While the problems of logistics and operational capacity of the police are very serious, a large part of the challenge was linked to poor welfare conditions which make the police vulnerable to financial inducements from the politicians. In addition, the police are ill motivated due to this poor welfare condition and cannot possibly be effective. The lack of insurance cover for the police is a

crucial element of this welfare deficit in the state and probably explains the unwillingness of the police to take unusual risks during elections.

On police manpower, key respondents reported that the number of police personnel deployed for election duties in the state is too small to meet the challenges of fraud and violence. To put this manpower deficiency in bold relief, respondents often contrasted the Enugu experience with the situation during the February 2010 election in neighbouring Anambra State. An official of state government who worked in the Governor's office drew the contrast thus:

“In the recent Anambra elections, they performed well, they played a good role, and there was no case of breakdown of law and order. There was no point when Anambra became a war zone. It was only that the only case was of people being disenfranchised. This was purely the fault of INEC. Maybe we can borrow from the Anambra experience. I learnt they deployed up to 23,000 police men to Anambra. I suggest that elections should be staggered in Nigeria to allow enough policemen at every point ... Also about the number of police officers deployed to Anambra state. The whole of Enugu has 4000 (police personnel), so imagine 23,000 mobilized in Anambra, I think there is need to stagger elections in this country, so that a lot of police can be mobilized to man elections. We can borrow from the Anambra experience”.

A senior police officer summed up the personnel challenges police face in discharging their electoral functions in Enugu State thus:

“...You see elections took place in Anambra and it was perfectly done, in every polling booth, about five policemen were given to a box to take

care, there were helicopters patrolling all over, we had marine police, there was dog section, and almost everybody was engaged. Am sure you read in the papers how many police men were there. ... In Enugu State we have less than 7,000 policemen and you look at the size of the state, you realize that it is not possible for us to have that kind of arrangement and posting you had in Anambra State. Where we have five police men attached to a box. So what we normally do is that we group depending on the size of the ward, so where we have ten polling booths you can post five to six policemen there depending on the availability of the manpower .

The different categories of the respondents had different slants to the story of the challenges that confront the police in the execution of their electoral responsibilities in the state. Yet, they are all agreed on the nature and extent of the challenges. While the police themselves are part of the problem of electoral security and credibility, the challenges highlighted above are formidable and it is difficult for the police, particularly at the lowest level and in marginal communities where their resources are sparsely distributed to display satisfactory performance.

Pre-election deployment

Respondents agree that politicians scramble to be 'favoured' in pre-election deployment of the police, particularly the dreaded Mobile Police Force (MOPOL). This is because, with proper financial inducement, the police would mobilise the use of force to influence the outcomes of the vote in the interest of the politician at the various stages of the electoral process. These politically-induced transfers have a serious impact on the objectivity of the police and send very conflicting message to the rank and file. Many respondents argued that such transfers undermine discipline in the force as the rank and file see themselves as being used by their superiors and therefore would seek to 'make money' while in the new field.

Legal and policy gaps

Most respondents are of the view that the national legal and policy frameworks at present are sufficient to guarantee safe and secure elections. The challenge has however been with the enforcement or implementation of the law or the capacity of relevant state institutions to perform their statutory obligations, including the police.

Chapter Twelve

Ogun State

Ogun State is part of Nigeria's Southwest zone that had been the traditional base of political opposition to mainstream national politics. It was controlled by the defunct radical opposition, Alliance for Democracy (AD) in 1999 but was snatched by the ruling PDP in very controversial electoral circumstances in 2003 and has since remained so to date. The victory of PDP was contested in long-drawn court battles as was also the case with the result of the 2007 election, which had only been concluded this year in favour of the PDP. Yet, in spite of the tenuous dominance of the ruling party, there is a groundswell of radical opposition politics in the state and elections in the state have continued to play out as a zero-sum game, featuring the use of extreme violence.

A total number of 38 respondents were interviewed for this study in Abeokuta, Ogun State. Those interviewed include senior and junior officers and men of the police, representatives of civil society organisations, INEC officials, personnel of other security agencies (including the Civil Defence Corps and the military), political parties and members of the public.

Awareness of the electoral function of the police

The police generally are aware of their role in elections to include primarily safety and security right from the period of campaigning to voting, collation of results and announcement of results. During elections, they are to provide adequate protection for "electoral officials and materials as well as voters in order to prevent criminal gangs from hijacking or tampering with the process" before, during and after election. In a focus group discussion a senior of police officer stated:

"Our roles are primarily for safety and security right from the period of campaign to voting, collation of results and announcement of results. We give adequate protection to electoral officials and materials as well as voters during

elections to prevent criminal gangs from hijacking or tampering with the process. I can assure you that we are playing these roles though not without challenges”.

In another focus group discussion with a group of officers at the State Command headquarters in Abeokuta, they viewed their role in the electoral process in phases, including

“...working with the Electoral Commission to determine security requirements for sensitive materials and polling stations for gathering of ballots. Assessment of possible risks in specific areas prone to conflict. Such areas are referred to as ‘hot spots’. In assessing risks, we take into cognizance possible interference or intimidation by representative of political parties, touts or members of the public. This will help us prepare on possible responses; meeting with political groups and their aspirants under one roof to discuss their plans for demonstrations and assist them through non-violent initiatives to ensure that their decisions and actions are guided by law. This practice was introduced and used in the 2007 election and a number of grievances were managed or stopped from evolving into violent conflicts. As a result deaths and loss of properties recorded was reduced compared to the records of the 1999 election.

Actual performance

There is a general agreement among the respondents, including the police, that the political control of the police organisation and the lack of professional autonomy hamper their objectivity in response to electoral issues. The operational control of the police by the President compromises the political neutrality of the organisation. It is argued that because the President appoints the Inspector-General of Police and because the police organisation is

hierarchical and unified the police have been used to support the political interest of the ruling party in previous elections in the state. In the words of a very senior police officer:

“...where a superior officer is made to be in the security team of an aspirant, a junior officer at the polling booth will have no choice but to obey the superior because in the police to obey command is our watch word. That is where you see people saying that police also help politicians to perpetrate evil”.

It was observed that where the police have performed well in securing elections, they were given adequate communication gadgets, transportation and feeding of officers on electoral duties. This provision reduced the likelihood of police personnel succumbing to inducements from politicians. The provision of adequate weapons to match “fire for fire” with hoodlums who come to hijack ballot papers has also been a key factor. The absence of this support undermines the effectiveness of the police to respond to electoral crimes. At the extreme, the police are seen to be involved in aiding and executing electoral malpractices, including harassment, rigging and intimidation. In the 2007 election the police were seen counting ballot papers at the ‘Garage’ polling booth in contravention of their role. Respondents pointed out that the police officer on duty was even screening voters to decide who should cast his vote or not and nobody could stop them.

Apart from personnel posted for election duties, politicians and influential people are accompanied to the voting booths by detachment of police escorts. This category of police personnel only answers to their political principals and they are used as instruments of violent electoral fraud and irregularities.

The presence of parallel police presence at polling centres was linked with the welfare issue discussed above. Respondents point out that Police officers struggle and bribe their way to be attached to politicians during elections rather than seek to protect the public.

Preparedness for election duties

Training of the police force for election duties as a key indicator of preparedness was lacking. The study found that there is no focused or specialised training to build the capacity of the police on election-related functions, apart from briefings and commands. Personnel of police interviewed admitted that there is provision of financial allocation to the police for election duties. However, sometimes the funds never get to the intended users in time and it is never enough. This creates a situation where they have had to use their personal money to be reimbursed after the elections. An INEC official confirmed that the police have a budget for election. He stated that,

“INEC makes its own budget submission and include budget for the police during election so I do not think they have problem with funding, but sometimes, the money does not get down to the officers who would actually do the job”.

He further cited an example with the 2007 election where:

“...the officers posted to some of the polling booths came to me to complain that they were not given money to take care of their immediate needs while at the polling station. On investigation, I discovered that the money meant for Ogun State command was already halved from Abuja, so that by the time it got to the state command senior level official took their share leaving little or nothing for the officers.”

Another police officer revealed that ‘sometimes it (the money) gets to us weeks or even months after the election because they will say use your money you shall be reimbursed.’ The police also admitted that there is no conscious training focused on elections, other than briefings giving to staff shortly before departing for the field on election-related assignments. All the people interviewed shared the view that pre-election training for the police, particularly on crisis management, would help improve their knowledge and skills.

Operational Challenges

The main challenges identified by the respondents include inadequacy of logistics and equipment (communication gadgets, weaponry and vehicles) for effective mobilization, deployment and enhanced performance; lack of targeted training; and insufficient manpower deployed to the polling stations. An officer recalled that she was the only person manning the polling station in an area well known for criminal activities. An INEC official confirmed that the police never provide adequate personnel to man the polling booths. While they need, at least, four officers per polling booth they receive two and sometimes none for some booths, particularly in the rural areas.

The respondents were almost unanimous that the police lack logistics in terms of communication gadgets, weaponry and transportation for effective mobilization, deployment and enhanced performance. An officer in charge of operations gave an instance where he was in a patrol team in the 2007 election:

“We received a distress call that some touts at Obatoko had made away with the result sheets. I gathered my men and was ready to pursue the bus that the touts drove in. We managed to run after the touts with our smoking vehicle but were on unable to catch up with them because our SUV Pick UP van broke down on the way”.

There is also the issue of lack of coordination among the diverse security agencies deployed to ensure security during elections in Ogun State, to confusion in terms of what the police should do. According to a senior police officer,

“...during elections, many security agencies (e.g., Army, informal policing groups, Nigeria Immigration and Nigeria Customs) joined the police for electoral duty without clearly defining the role each agency is expected to play, hence you find some officers arguing or even confused about what to do”.

However, the major constraint faced by the police as expressed by various stakeholders was the political control of the force by the federal government.

A senior police officer pointed at:

“The dependence of the Police Force on government so much so that even when your conscience tells you to do the right thing you cannot do it for fear of harassment or punishment on account of professional discharge of your duties... Operational control of the police lies on the Presidency so we cannot do otherwise even in the face of impunity when we are expected to be neutral. No training or lecture to build our capacity except the one you pays for yourself but where is the money to fund yourself?”

Pre-election Deployment of Police Officers

Pre-election deployment of the police within the state is seen by a nearly all those interviewed as a deliberate political strategy. The context of the operational control of the police by the president, also promotes partisanship and political bias in posting before elections. One example that was cited to illustrate this was the posting of the Commissioner of Police in the state three times in less than one month prior to the 2007 election. One of the interviewees alleged that the posting was informed by the incumbent governor’s uncertainty about the Commissioner of Police appointed to the state by the presidency through the Inspector-General. A SIEC official argued that such incessant posting does not augur well for free and fare elections since the new commissioner is not always familiar with the environment. This was confirmed by another senior police officer in the state thus:

“...control of the police by the presidency is not good because the IG is expected to submit the list of CPs of all the states for approval prior to deployment. So if the presidency feels that this CP will not represent their interest they will say

delete the person's name from the list even if it means emergency promotion of another to CP".

Support from informal policing actors

There were mixed observations about the role of informal policing groups (vigilantes and the likes). While some of the interviewees were sceptical and see them as unstructured elements that are part of local politics and are easily used by local elites, others see them differently. Those who support them argue that informal groups are essential for supporting the police because they know the local environment more than the police themselves and furnish the latter with critical intelligence information.

Chapter Thirteen

Conclusion and Recommendation

Introduction

This study sought to assess the role of the police in the Nigeria electoral process and adopted a comparative study of eight states of the federation. The states under study are Anambra, Benue, Edo, Enugu, the Federal Capital Territory (FCT), Kano, Lagos and Ogun. The findings of the study demonstrate more commonalities in the empirical experience of the role of the police in elections across the study sites than differences. The common trends emerging from the study, area of differences and recommendations are presented in this chapter.

Conclusion

One of the common issues emerging from the study is that all stakeholders in elections in the states studied have a clear understanding of the statutory functions of the police in the electoral process. Consequently, there is a shared expectation that the police as an institution of the state should take responsibility for guaranteeing safety, security, law and order to ensure crime-free and violence-free elections. Even those who are not educated and who probably have not studied the police act, the electoral act or any of the relevant guidelines share this understanding. Of more importance are police officials. Yet while the police may share the understanding of this broad function, they are not all necessarily informed about the specific roles they should be play on voting day. In some of the states, many junior officers and men do not have adequate understanding of what they should do or not do in the process of voting and this has tended to create confusion and undermine commitment to duty among the ranks.

Following from the above, it is evident from the study that with possible exception of the February 2010 elections in Anambra State, the police have

not been able to perform their electoral roles in all the states since 1999. The police have not only been unable to provide effective security for elections, they themselves have been involved in acts of electoral fraud and crime. The explanations for this failure and complicity are the same in all the states and point towards a systemic failure at the national level. The major issues include, institutional neglect of the NPF and its capacity to secure elections as evidenced in low operational capability to confront violent party thugs and militias; virtual absence of requisite logistics (such as vehicles, communication gadgets and other security equipment); poor basic welfare package (allowances for feeding, housing and contingencies during elections); endemic police corruption; general low level of morale and lack of professional autonomy from political control.

The few cases where the police have performed relatively well in the provision of security have always been in capital cities and major towns. The explanation for this is that the police have tended to deploy more resources – mainly logistics, manpower and funds – in the capital cities than in the outlying villages and communities. This is to be expected because police resources are centralised and dispersed from the Force Headquarters in Abuja to State Commands for onward distribution to smaller communities. Such resources, the study showed, have tended to be retained at the top hierarchy of the police and hardly trickle down fully to where they are most needed. Of particular importance are funds disbursed to facilitate the operations of junior officials in the field. While most respondents across the states are not aware of any dedicated funds for election security, INEC does provide some form of financial support to the police and there are informal channels by which funds are sent from the Force headquarters to the state commands. The evidence shows such monies never reach the low level personnel of the police at the polling stations. This situation exacerbates the conditions of low morale among the ranks and makes them more vulnerable to influence from wealthy politicians.

The concentration of police resources was most evident in the 6 February 2010 gubernatorial election in Anambra State. Most interviewees across the states and FCT point to that election as the only exception of exceptional performance by the police since 1999. What was most obvious from the study

is the police deployed adequate manpower to the state from across the federation, proving that police manpower is a critical factor of success. The police personnel were able to man every polling station and patrol all the places that were notorious for electoral violence and fraud. Police visibility was also sufficient to deter would-be electoral criminals and gangs. Another important factor that needs to be taken into consideration was the sufficient deployment of civil society monitors which helped in putting the spotlight on the police. However, the study suggests further that all these were possible because the Anambra election was the only election that took place in the whole country at the time. Many of the respondents were quick to point out that the high performance of the police would not have been possible if elections had taken place across the country at the time, since it would have been impossible to concentrate police resources and strategic attention on the state. Also political leadership was strategic as the Presidency at the time determined to improve the electoral process in the country; and this created the requisite political climate for the Inspector General to issue unambiguous directives to ensure a credible election and the PSC to directly intervene in the election. These last two factors are crucial in the light of the massive failure of the same police in the Ekiti State gubernatorial re-run elections, which was also the only one that took place in the country at that time. A useful question to ask here is why did the police not deploy full resources to the Ekiti State re-run election but did so in Anambra?

Another major finding is the lack of deliberate preparation of the police for the arduous task of policing elections in such a conflict-prone country as Nigeria. There is no deliberate training programme for officers and men of the force to prepare them for the election tasks. There are only crash briefings and these occur at the whims of State Commands and are put together a few days before actual voting. Related to this, there is no institutional policy to fund police elections functions. The money that eventually goes to the police either from INEC or Force Headquarters does not go through a regularised and institutionalised procedure and mechanism. It is therefore unpredictable and unscrutinised. In many of the cases, such funding procedure helped create grievances and a sense of injustice among the lower ranks that are expected to do the hard job of preventing violence and crime during voting.

Finally, there were disagreements in all the states on the role that non-state security outfits should play in relation to the police during elections. Those who support their utility argue that they are closer to the community than the police, better understand the local political terrain where voting takes place and are therefore able to support the police with local intelligence necessary for preventing and combating electoral fraud and violence. On the other hand, they are seen as unaccountable groups who are part of the local politics and are therefore partisan and easily used as tools of electoral crime by wealthy political elites.

Recommendations

Based on the conclusions drawn from the study, the following recommendations are made to improve the performance of the police in securing elections in the future:

- A national conference on policing elections in Nigeria should be convened as soon possible as a follow-up to this study. That conference, which should bring together the leadership of major stakeholders on elections in the country such as the Independent National Electoral Commission (INEC), Nigeria Police Force (NPF), Police Service Commission (PSC), political parties, civil society groups and others to discuss the findings of this study and agree on a policy framework and resources needs for the policing of 2011 elections. This would provide an opportunity for a national policy debate on the challenges and opportunities of addressing the security and credibility of elections in the country.
- The conference should also agree on the need for the development of a specialised training programme for preparing the police to play their important role during elections. Such a programme should include but not be limited to sensitization of police officers and members of the public on the functions of the police during elections; training of police officers on appropriate conduct expected of them during elections as provided in the PSC Code of Conduct for Police Officers on Electoral Duties; deployment of monitors by the PSC in collaboration with civil

society groups to monitor police conduct during elections and using the reports of such monitoring exercises to reward excellent behaviour and investigate police officers found wanting with a view to punishing those found guilty of misconduct.

- The major civil society coalitions on monitoring elections should also be supported to extend their monitoring exercise to rural areas and inner-city communities not often covered in election observation programmes.
- The funding of the election functions of the police should be institutionalised as a deliberate and publicly transparent policy. To this end, a special fund should be set up and the disbursements from the fund down to the polling station should be published and closely monitored by relevant government agencies and civil society groups. The police should also be allowed to plan and develop its budget for discharging electoral functions.
- Deployment of policing personnel resources during elections should be guided by needs, population density and prior mapping of areas with a history of electoral violence rather than the current practice where more police officers are deployed to neighbourhoods where people with political influence reside.
- Non-state, community-based, neighbourhood groups should be trained and engaged to support the police in the protection of elections. A special training programme should be developed for these groups while they are closely monitored by civil society groups during elections
- The policy to withdraw police attachment to politicians and aspirants at the polling centre in the Anambra election should be sustained and made a national policy for all elections.
- Monitoring of police conduct during elections should be made an integral part of the work of the Police Service Commission and adequately budgeted.

- Most of the essential recommendations on police reform as contained in the White Paper on Police Reform 2009 are germane to the performance of the police on election duties. It is therefore crucial to facilitate the implementation of the White Paper as a matter of urgency, given that next general elections are only months away. The White Paper already deals with issues of police autonomy, welfare and training, which are all essential for secure elections.
- The political support for electoral reform at the highest level, as witnessed in the last Anambra State election, must be sustained. The highest level of political and police leadership therefore needs to be engaged by the other stakeholders to sustain the momentum. The success of the Anambra election should be used to demonstrate to the political and police leadership that the Nigeria police can actually secure elections is given the support.
- More resources should be mobilised to ensure that election in each state receives adequate police manpower to man polling centres in all cities, towns and villages, comparable to the deployment witnessed in the last Anambra election. Police capacities and resources (manpower and logistics) need to be deployed from the centre down to the polling booths at the grassroots level.
- Other informal policing agents during election should be encouraged to work with the police but with proper training, co-ordination and collaboration. Because they are on ground and they are familiar with the people and terrain, informal policing groups can increase the extent and presence of security on the ground.
- In situations where the manpower of the police is too small to cover elections sufficiently, non-state community-based neighbourhood groups should be trained and engaged to support the police. If well trained and closely monitored, informal security groups can provide critical intelligence support to the police and also serve as a deterrent against miscreants and political entrepreneurs.

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Annex A:
Interview Guide
Assessment of the Role of the Police
in the Nigerian Electoral Process

Introduction

The CLEEN Foundation, in collaboration with the UK Government Security, Justice and Growth (SJG) Programme in Nigeria, undertook a study to assess the role of the Nigeria Police Force (NPF) in the electoral process in Nigeria. The study focuses on seven states - Anambra, Benue, Edo, Enugu, Kano, Lagos, Ogun and the Federal Capital Territory, Abuja. The overall goal of the assessment is to provide understanding of the role of the NPF in elections and electioneering, including the potential risks of engagement and opportunities for success.

This interview guide is designed to collect the relevant empirical data for the assessment. It is composed of open-ended questions covering the key areas that have been identified for this study. You are encouraged to provide as much information as you can in response to the questions. The CLEEN Foundation guarantees to protect your identity should you wish to offer any information in confidence. Thank you.

1. INTERVIEW RECORD

- 1.1. Interviewer:
- 1.2. Interviewee's name:
- 1.3. Interviewee's address:
- 1.4. Interviewee's phone number:
- 1.5. Meeting place for interview:
- 1.6. Start time:
- 1.7. Stop time:
- 1.6. Day/month/year:

2. PERSONAL BACKGROUND OF INTERVIEWEE

2.1. Age?

- 18 - 24 years
- 25 – 34 years
- 35 – 49 years
- 50 years and older

2.2. Marital status?

2.3. Occupation of the interviewee?

2.4. Wife's or husband's occupation?

2.5. Own educational level?

2.6. Gender:

3. QUESTIONS ABOUT THE INTERVIEWEE'S POSITION

3.1. How long have you worked for the organisation?

3.2. How long have you worked for this specific section/unit?

3.4. What is your present job description?

3.5. For how long have you been in this post?

3.6. How is your job related to safety and security during elections?

4. QUESTIONS ABOUT THE STATUTORY MANDATE OF THE POLICE IN ELECTIONS

4.1. What are the roles of the police during elections?

4.2. Do they play these roles during elections?

- 4.3. Are you aware of any gaps in the roles of the police during elections?
- 4.4. If yes, what are the gaps?
- 4.5. Are there any roles that they are not performing that they should be performing during elections?
- 4.6. Are there any electoral roles that they are performing, which you think they should not be performing?

5. QUESTIONS ABOUT THE ACTUAL PERFORMANCE OF POLICE FUNCTIONS DURING ELECTIONS

- 5.1. How effective have the police performed their roles in elections since 1999?
- 5.2. Are there any gaps in the actual performance of the roles of the police during elections?
- 5.3. In what areas have the police performed very high during elections?
- 5.4. In what areas have the police performed below expectations during elections?
- 5.5. What do you think are the reasons for the variations?
- 5.6. Are there any specific challenges that the police face in fulfilling their roles during elections?
- 5.7. What are these specific challenges (logistics, financing, legal framework, training etc)?
- 5.8. Are there cases of exceptionally high performance by the police in the fulfilment of their roles during elections?

- 5.9. Are there any glaring cases of low performance by the police in the fulfilment of their roles during elections?
- 5.10. What factors facilitate high performance of the role of the police during elections?
- 5.11. What factors limit the performance of the role of the police during elections?

6. QUESTIONS ON PRE ELECTIONS PREPARATION OF THE POLICE

- 6.1 Are you aware of any special pre elections training program for the police?
- 6.2 Are you aware of any training manuals for training the police in preparation for electoral duties?
- 6.3 If you are aware of any training program, how is the training program delivered?
- 6.4 Are you aware of any dedicated funding and logistics for pre elections preparations for the police?
- 6.5 Are you aware of any dedicated funding and logistics for the police during electoral duties (communication, transportation, feeding, accommodation, contingencies etc)?
- 6.6 Are you aware of any deliberate pre election deployment strategy of the police?
- 6.7 If yes, how does it impact on the role of the police during elections?
- 6.8 Do you think that guidelines should be developed on the roles of the police during elections?

6.9 Do you think these guidelines should be used to train people so as to monitor the conduct of the police during elections?

7. QUESTIONS ON THE SAFETY AND SECURITY OF THE POLLING STATION

7.1 Are you aware of other police personnel apart from those formally deployed by different police formations (State command, Area Command, Divisions) being present at the polling stations during elections?

7.2 If yes, who do you think deploys them?

7.3 Do you think they behave differently from those that are formally deployed by the police formations during elections?

7.4 Do you think non state actors (informal policing groups – neighbourhood watch, street guards etc) play a role in ensuring safety and security at the polling stations during elections?

8. QUESTIONS ABOUT POLICY RECOMMENDATIONS

8.1. Are there any good practices from which lessons can be drawn to enhance the performance of the role of the NPF during elections?

8.2. In your view, what legal and policy changes are required to enhance the performance of the role of police during elections?

8.3. What institutional and practical changes are required to enhance the performance of the role of police during elections?

8.4. Are there any key areas that you think have not been raised in this interview?

- 8.5 Do you think that there should be a collaboration between police and non State actors (informal policing groups – neighbourhood watch, street guards etc) to ensure safety and security during elections
- 6.4. Do you have any final general comments or specific recommendations?

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