

POLICE-COMMUNITY VIOLENCE IN NIGERIA

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Centre for Law Enforcement Education and National Human Rights Commission

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PREFACE

This study examines police–community violence in Nigeria, which is one of the critical socio-political problems in the country. Two dimensions of police violence are considered. These are the use of violence against citizens by the police and citizen's violence against the police.

The study, a national survey on the root causes of police-community violence in Nigeria, analysed the incidence, extent and pattern of violence by and against the Nigerian police. Theoretically, we analysed the problem within a broad framework which posit that violence by and against police are determined by social, political and economic factors mediated by police institutional ideology and capabilities (and in-capabilities). Violence was conceived broadly in terms of homicide (at the extreme and rare form), torture (especially in the context of police interrogation) and brutality in the course of law enforcement contacts between citizens and police in Nigeria.

The data obtained and analysed in the course of this study indicate that the use of violence against citizens by the Nigeria Police is common. Although official data on the subject are difficult to obtain, information derived from the newspapers and newsmagazines, literature and survey for this study reveal that torture and brutality by police are widespread. Data also reveal incidence of violence against police by citizens. The most common form of contact between the police and citizen is involuntary law enforcement encounter. This occurs more frequently on highways where Nigeria police mount checkpoints and carry out 'stop and search', and possibly arrest. Unfortunately, this context has been a fertile ground for police brutality, incivility and corruption; giving rise to hostile police-public relations, and sometimes violence by and against police.

The political and socio-economic influence on police-citizen violence can be observed in the entrenched hostility between police and certain segments of the population, such as labour, students, peasant farmer organisations, pro-democracy and human rights groups, professional associations and community based advocacy groups, considered to be 'enemies' of the government. These groups are frequently victims of government instigated police violence by and against the police.

There is widespread ignorance and misperception about the role and powers of the police by the public. The misperception derives from the historical legacy of using police to suppress the citizens by colonial and post-colonial governments. Thus, citizens resent police, even when they are exercising their legitimate powers in the course of legally permissible law enforcement activities. This resentment sometimes precipitate violence against police by citizens as well as police reprisals.

Several institutional problems, in terms of qualitative and quantitative inadequacy of men and women, materials and money within the Nigeria Police Force as well as poor and inadequate social infrastructure (particularly transportation and telecommunication) within the Nigerian society, militate against police effectiveness, and positive estimation of the police by Nigerian citizens.

Nigeria needs to restructure and democratise its polity and economy in order to promote democracy, social justice and human rights, and thereby reduce conflicts between the government and society, and between police as agents of government and the citizens.

This study is the second in a series of partnership projects between the Centre for Law Enforcement Education (CLEEN) and the National Human Rights Commission (NHRC) on police reform in Nigeria. The first study examined the role and functions of the Nigerian police in the post-military era, and led to the publication of the book, *policing a Democracy*. The objectives of the present study are to:

1. Evaluate the Nigeria police force regarding its orientation, strategies and performance and their effects on the relationships between the police and civil society.
2. Investigate, analyse and explain the structural and institutional causes of violence by police against citizens and violence by citizens against police in Nigeria.
3. Propose a framework for an effective, civil and accountable police force for Nigeria, that will advance democratic governance and respect for human rights in the nation.
4. Propose a framework for effective involvement of civil society in controlling and determining the direction and priority of policing in the country

CHAPTER ONE

POLICE-COMMUNITY VIOLENCE IN NIGERIA

Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against imminent threat of death or serious injury, to prevent the perpetration of a particular serious crime involving grave threat to life; to arrest a person presenting such a danger and resisting their authority or to prevent his or her escape and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.¹

INTRODUCTION

The police are state officials charged with responsibility for 'law enforcement and order maintenance' in society. To discharge these twin responsibilities, the police are empowered to use force, indeed violence. National constitutions and statutes, international conventions and rules; police departmental orders and professional ethics regulate the use of force or violence by police. But despite these provisions, the police in most societies use force and violence beyond the limits permissible by law.

There are two dimensions of police violence. These are police use of violence against the citizens and citizens use of violence against the police. The incidence, extent and pattern of both forms of violence in different communities are determined by social, political, economic and institutional factors. Police violence is generally conceived in terms of police brutality, torture and homicide. This study focused on acts of brutality, torture, unnecessary use of excessive force, lethal use of firearms including extra-judicial executions of suspects, and sometimes-innocent citizens by the Nigerian police. In Nigeria, police violence is widespread. Its manifestations include beating and kicking citizens, unnecessary use of restraints such as handcuffs and leg chains, unnecessary use of lethal firearms against suspects and members of the public, torture of suspects in order to extract confession or extort gratification.

In this book, we discussed and analysed police violence in Nigeria. In doing this, we conceived police violence as a product of social, political and economic structures of society. We argue that a society with authoritarian political structures and an economic system characterised by widespread exploitation and inequalities will generate social

¹Principle 9, United Nations' Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Adopted by the Eight United Nations Congress on the Prevention of Crime and Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.

conflicts. Police violence is often a response by a dictatorial government to repress such conflicts. In addition, we examined the factors within the Nigeria Police Force that impact on human rights violations and violent confrontation between the police and citizens. The study also analysed the use of violence against the police by citizens. This form of violence is classified as criminally and politically motivated violence as well as reprisal or reactive violence by citizens against police. Finally, we propose policy framework for an efficient, civil, responsible, responsive and professional police force in Nigeria.

POLICE ROLES

Historically and universally, the police have been charged with numerous and diverse functions. As a result, there are divergent views on the nature and significance of different police roles.

Consensus-functionalist perspective in social theory, portrays state laws as products and expression of consensus among the disparate classes and social groups in society over norms governing their social, political and economic institutions. According this school of thought, the police being law enforcers are responsible for the enforcement of laws that promote the common interests of these different classes and groups. For example, in democratic societies, John Alderson, advocates that the police should:

Contribute towards liberty, equality and fraternity... help reconcile freedom with security and to uphold the rule of law... facilitate human dignity through upholding and protecting human rights and pursuit of happiness... provide leadership and participation in dispelling crimogenic social conditions... contribute towards the creation or reinforcement of trust in communities... strengthen the security of persons and property and the feeling of security of persons... investigate, detect and activate the prosecution of offences, within the rule of law... facilitate free passage and movement on highways and roads and on streets and avenues open to public passage ... curb public disorder... deal with major and minor crises and to help and advise those in distress, where necessary activating other agencies.¹

This is an idealistic vision of police roles, which is characteristic of the consensus-functionalist perspective of state and law as supra-class, mediating and integrating forces for harmonious existence in society.

Social conflict perspective in social theory postulates that society is divided into groups and classes with common interests in some areas and conflicting interests in many fundamental areas, including the organisation, mobilisation and distribution of economic and socio-political resources. It has therefore, been argued “that the police were not created to serve “society” or the “people” but to serve some parts of society and some

¹John Alderson (1979) Policing Freedom London: Macdonald and Evans, p.xi.

people at the expense of others”.¹ The variation in attitudes towards the police reflects the differential services rendered by the police to different segments of society. Police roles vary across societies with different political and economic organisations. For example it has been argued that in capitalist societies:

The main function of the police has been to protect the property and well being of those who benefit most from an economy based on the extraction of private profit. The police were created primarily in response to rioting and disorder directed against oppressive working and living conditions.²

According to Bowden, the roles of police include the repression of the poor and powerless in order to protect the interests of the rulers. The police roles, therefore, include standing as a “buffer between elite and masses” and to perform “the essential holding operation against the malcontents until military force could be applied in a punitive and salutary manner”³ Brodgen puts this view more forcefully, stating that “Police forces are structured, organisationally and ideologically to act against the marginal strata”⁴.

The social conflict theorists concentrate on the repressive aspects of police work in a society characterised by class conflict, underlined by unequal and inequitable economic and power relations among groups in society. Their views explain why the poor and the powerless are more likely to be victims of police violence than the elite is. But police role is not limited to repression. No government governs by repression alone, precisely because this renders governance unstable, expensive and unacceptable. Consequently, rulers also enforce compliance, law and order by means of persuasion, indoctrination and incorporation of diverse interests into public crime control and law enforcement policies. In many societies, such as the United States of America, Canada, Britain and other European nations, police spend more than one-half of their working hours attending to non-crime-related needs and concerns of citizens or providing social services.

The more realistic view is to see police forces as repressive and service organisations. Police repress and at the same time serve the public. The priority attached to repressive and service functions vary across societies and even governments within a society. As has been argued:

... Police work embodies ironies. Police are instrument of oppression and exploitation in totalitarian and unjust social systems. Yet they are essential to the preservation of justice and democracy... The police are guardians of social order. As an institution, the police force, helps to preserve, fortify and reproduce the prevailing social order, and are hardly catalysts for its change. Thus when a social order is oppressive, exploitative and unjust, the police preserve it by suppressing and defusing demand for democracy and elimination of oppression and injustices.

¹Institute for the Study of Labor and Economic Crises(1982) The Iron Fist and the Velvet Glove: An Analysis of the US Police (San Francisco, CA: Crime and Social Justice Associates) p.12

²ibid.

³T. Bowden(1978) Beyond the Limits of Law (Hammondsworth: Penguin Books Ltd.) p.19

⁴M. Brodgen (1982) The Police: autonomy and consent (London: Academic Press) P.203

Similarly, in a democratic, just and equitable society, police have greater chances of serving as vanguard for social democracy, human rights and socio-economic justice.¹

The most valid way to explain police behaviour, including police violence, is in terms of the social, political and economic order that the police are required to secure, preserve and fortify. In a free market economy without efficient social welfare services to mitigate the effects of poverty and inequity, police crime control efforts, especially in the control of economic crimes, are likely to be significant. Also, where economic efficiency and equity are not given due considerations; where corruption and distribution of wealth is highly skewed, police will not only have to contend with high rate of economic crimes without much public support for their control, but also with hostility towards the police by those who consider themselves oppressed and exploited. There can be no peace in a society where wealth - largely ill-gotten - is concentrated in the hands of a few while the vast majority of its toiling people are condemned to destitution and poverty.

The availability, quality and distribution of social infrastructure also affect police performance, and police-public relations. These also have impact on the extent and severity of crimes as well as the capacity of police to respond to the security and welfare needs of the citizens. The citizens who live in deprived areas of a country are more likely to be hostile to government and especially to the police which they see as a symbol of an insensitive and irresponsive government.

POLICE FORCES IN NIGERIA

Nigeria had an estimated population of 89 million in 1991, made up of 50.04% males and 49.96% females.² Of this population, 44.9% were in 0-14 age group. Nigeria is a multi-ethnic society with about four hundred ethnic groups.³ The country occupies a land area of 923,769 square kilometres. Nigeria evolved through the colonial subjugation of hundreds of societies in the territory between 1861 and 1914. By 1900, the British colonial government after series of amalgamation of hundreds of nationalities in the Southern and Northern territories further amalgamated these societies into two political blocks: Colony and Protectorate of Southern Nigeria and the Protectorate of Northern Nigeria. The two blocks were amalgamated in 1914 as a single political entity. The subjugation of each of the constituent nationalities witnessed the establishment of a police force or constabulary for the territory. This practice of local and multiplicity of local police forces continued throughout colonial rule. However, from 1900, there were also regional police forces. In 1930, a national police force called the Nigeria Police Force was established. Nigeria became an independent country on 1st October 1960. The

¹E.E.O. Alemika (1993 a) "Criminology, Criminal Justice and Philosophy of Policing" in T.N. Tamuno; I.L. Bashir; E.E.O Alemika, and A.O Akano (Eds.) Policing Nigeria (Lagos: Malthouse Press)p.59

² National Population Commission (1994) Census'91: National Summary (Abuja: National Population Commission).

³O. Otite (1990) Ethnic Pluralism and Ethnicity in Nigeria (Ibadan: C.I. Shaneson).

Independence Constitution (1960) and the Republican Constitution (1963) provided for local police force and the Nigeria Police Force. The military seized power on 15th January 1966, and dissolved the local police forces, as a result of the negative roles attributed to the forces during the First Republic (1960-1966). A detailed history of the evolution of police forces and their roles has been covered in the literature.¹

NIGERIA POLICE FORCE

Nigeria currently has a centralised police force - Nigeria Police Force, established in 1930. This was sequel to the dissolution of local police forces in 1966.² The 1979 and 1999 constitutions explicitly prohibited the establishment of police forces other than the Nigeria Police Force. Section 214(1) stipulates:

There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section no other police force shall be established for the Federation or any part thereof.

Organisation of Nigeria Police Force

The Force is organised into 37 Commands and the Force Headquarters. Each of the thirty-six States and the Federal Capital Territory is served by a Command of the Force. The Force Headquarters is the office of the Inspector General of Police. The task of the force is carried out through six departments:

- A. Administration and Finance
- B. Operations
- C. Works and Logistics.
- D. General investigation and intelligence
- E. Training
- A. Research and Planning.

Each of the Departments is under the leadership of an Assistant Inspector - General of Police. The 37 State Police Commands are further organised into 8 Zonal Commands.

¹See T.N.Tamuno (1970) Police in Modern Nigeria, (Ibadan: University of Ibadan Press); E.E.O. Alemika (1993b) "Colonialism, State and Policing in Nigeria" Crime, Law and Social Change (20): 187-219; F.Odekunle (1979) "The Nigeria Police Force: A Preliminary Assessment of Functional Performance" International Journal of Sociology of Law (7): 61-83; O. Kayode(1976) "Public Expectations and Police Role Concepts in Nigeria" Police Chief (May): 58-59; See also the following contributions in the encyclopedic book T.N. Tamuno; I.L.Bashir, E.E.O. Alemika and A.O. Akano (eds.) Policing Nigeria (Lagos: Malthouse Press Ltd. 1993): (a) E.E.O. Alemika "Criminology, Criminal Justice and the Philosophy of Policing" (pp. 30-78); (b), O.F.Onoge, "Social Conflicts and Crime in Colonial Nigeria" (pp.151-186); (c) K. Rotimi "Local Police in Western Nigeria; End of an Era" (pp.187-237); (d) P.T. Ahire "Native Authority Police in Northern Nigeria: End of an Era"(pp.238-261); S.G. Ehindero "The Organization and Command Structures of the Nigeria Police Force" (pp. 272-301); C.Okonkwo (1966) The Police and Public in Nigeria (London: Sweet and Maxwell).

² The Gowon military government dissolved the local police forces, having accepted the recommendation by the working party on police and prisons constituted by Major – General J.T.U Aguyi-ironsi military regime in 1966.

The Zonal commands are under the command of Assistant Inspectors-General, while Commissioners of Police are in charge of State Commands. The entire Force is under the command of the Inspector - General of Police. He is assisted by a Deputy Inspector General and six Assistant Inspectors-General of Police in charge of A, B, C, D, E, F departments at the Force Headquarters.¹ The Commandants of the Police Staff College, Jos and Police Academy Wudil, Kano are also Assistant Inspectors General of Police, while the Police Colleges are commanded by Commissioners of Police, and the Police Training Schools where recruits are trained are under the direction of Superintendents of Police.

Functions and Powers of Police in Nigeria.

The colonial police forces in Nigeria performed a variety of functions including:

... investigating and detecting crime, escorting residents and other officials; prosecuting offenders; guarding goals and prisoners at work outside the precincts of the prisons, serving summons and executing warrants; patrolling, aiding and protecting revenue and customs officials, guarding and escorting goods; and suppressing slave raiding."²

The colonial police were 'general utility force'. The functions of the Nigeria Police Force are more clearly stated in section 4 of Police Act and Decree No. 23 of 1979:

The Police shall be employed for the prevention and detection of crime, apprehension of offenders, the preservation of law and order, the protection of life and property, and due enforcement of all laws and regulations with which they are directly charged and perform such military duties within or without Nigeria as may be required of them by, or under the Authority of this or any other Act.

The police in the country also have statutory powers to investigate crimes, apprehend offenders, interrogate suspects, prosecute suspects, grant bail to suspects pending completion of investigation or prior to court arraignment, to serve summons, to regulate or disperse unlawful processions and assemblies. The police are also empowered to search and seize properties suspected to be stolen or associated with crime, and "to take and record for purposes of identification, the measurements, photographs and fingerprint impressions of all persons... " in custody (Police Act, Criminal Code, Penal Code).

Police Power and Fundamental Human Rights in Nigeria.

Police powers in Nigeria are counter-balanced by constitutional guarantee of human rights in the country's successive constitutions. In chapter 4 of the 1979 and 1999 Constitutions, and under the criminal procedure statutes, the following fundamental rights are guaranteed.

¹The force was recognized in 1986 along Directorate line but reorganized again in 1997 along department lines discussed above.

²Annual Report (1906) of Colonial Nigeria Police by Major Bain

1. Right to life, human dignity (freedom from inhuman and degrading treatment, torture) personal liberty, and privacy
2. Right to be presumed innocent until proven guilty.
3. Right to remain silent during criminal investigation and trial processes.
4. Right to notice of charges within a reasonable period.
5. Right to be arraigned before a court or tribunal, and to a judicial proceeding in language(s) understood by the suspect (including interpretation of proceeding in language understood by suspect).
6. Right to be arraigned before a court within a reasonable period.
7. Right to be represented by a counsel of one's own choice provided one is able to pay for the services (and to state legal aid for indigent persons in cases of capital offences)
8. Right to bail
9. Right to cross-examine prosecutions witnesses and to present witnesses
10. Right to speedy trial
11. Right against self-incrimination and compulsion to testify against or for oneself
12. Right to a fair, open and impartial judicial process
13. Right against unduly long detention without trial
14. Right against retroactive laws
15. Right against double jeopardy –(multiple trials for the same offence)
16. Right to an appeal in respect of the decisions of a court of first instance.

Notwithstanding these provisions, these rights are frequently breached at all phases of criminal justice administration in the country. This is due to several factors, including a legacy of colonial arbitrariness, excesses of politicians and their manipulation of the judiciary and police, as well as police and judicial corruption. The most important source of the infringement of these rights is protracted military rule. Under previous military regimes, the subsisting Constitutions were suspended, retroactive legislation and ouster clauses were introduced. Special(military)Tribunals which composition, processes and rule of evidence fall below the standard prescribed by these rights were established. This generally resulted in atmosphere of persecution and repression. Police violence, brutality, and corruption were more common under the military regimes, which promoted or condoned them.

Police Recruitment and Training

There are three entry levels into the Nigeria Police Force. These are constable, cadet inspector and cadet assistant superintendent of police levels. The first is a beginning level, the second, an upper junior level, and the third, the lowest superior police officer rank. Constables are trained at either Police Training Centres, located in many states capitals or at the police colleges located at Ikeja-Lagos, Kaduna, Enugu and Maiduguri. Similarly, Cadet Inspectors are trained at the police colleges (Ikeja, Kaduna, Enugu, Maiduguri). Cadet Assistant Superintendents of Police are trained at the Police Academy, Wudil Kano. The training period for constable lasts from six to nine months. The cadet inspector's training last twelve months. The duration for the cadet Assistant

superintendent is also twelve months. The selection and screening process for recruitment into the police, especially at junior (constable and inspectorate) levels emphasise physical stature and stamina. Rigorous tests for psychological and emotional stability, and social relations' skill are not given adequate attention. The educational requirement for recruitment into constable and cadet inspector is secondary school certificate with five credit passes, including English language and mathematics. The educational requirements for enlistment as a cadet Assistant superintendent of police is a bachelor's degree in any subject. The curricula for the training of police officers at the constable, inspectorate and assistant superintendent levels are narrow in scope, emphasising police duties, drill, physical exercise, and limited knowledge of criminal law and procedure. The content of the training is deficient in liberal subjects such as sociology, psychology and political science. Furthermore, refresher training for officers is infrequent. These inadequacies associated with selection, screening, testing and refresher training of officers at different times in their career adversely impact on discipline, orientation, attitude, performance and conduct of Nigeria Police.¹

For the purpose of command, the Police Regulation (CAP 359 of the Law of the federation of Nigeria, 1990) in sections 11-24, provides for the following field operations structure.

Fig. 1.1: **Hierarchical, Command and Field Operations Structure of NPF**

NO.	Command Level	Commander
1.	Force Headquarters (National)	Inspector-General
2.	Zonal Command (group of state commands)	Assistant Inspector-General
3.	State Command	Commissioner
4.	Area Command (a group of Divisional Commands)	Assistant Commissioner
5.	Divisional Command	Assistant Superintendent of Police (or higher rank)
6.	District Command	Inspector (or higher rank)
7.	Police Station	Sub-Inspector (or higher rank)
8.	Police Post	Corporal (or higher rank)
9.	Village Post	Police Constable (with a minimum experience or higher rank)

The Force Headquarters, state and divisional commands, are the most critical in the field operation management of the Nigeria Police Force. In spite of and perhaps because of this long-chain of command, the police force is not accountable to the various territorial levels, which it serves.

¹ P.E. Ebo (1993) "Human Resources Management and Policing" in Tamuno *et al* (eds.) Policing Nigeria (Lagos : Malthouse Press). Pp. 356 – 390.

Social History of Police-Community Violence in Nigeria

Police–community violence has been a recurring problem in Nigeria since colonial rule. The British colonial government established police forces in the territory and organised them as constabulary and para-military forces. The Forces were employed in various colonial wars and punitive expeditions. They were also used in maintaining the exploitation and repression of labour.¹ In some of these cases, the police used “batons, rifles and revolvers”, to suppress, maim and kill persons who opposed colonial rule and policies.² Because of the incessant repressive deployment of police against workers during colonial era, Professor Tamuno notes that “the police earned the displeasure of some trade union leaders and members, a factor which did not promote good public relations as far as the workers were concerned”.³ The frequent use of police to scuttle, disperse and break strikes led to the killing of twenty-one miners and fifty wounded workers during the Enugu colliery strike in 1949.⁴ The Colonial Government deployed the military and police to suppress the women’s riot (December 1929 - January 1930) in the Eastern parts of the territory, resulting in the death of fifty-five women and serious injury to more than fifty women.⁵

The “police action” to quell the Tiv riot of 1960, by official estimate led to the killing of 19 civilians, while 83 were injured.⁶ These instances indicate that the police forces in colonial Nigeria employed violence in the maintenance of colonial exploitation and oppression: “colonial police forces [in Nigeria] were organised and oriented to behave as occupation forces - ruthless, brutal, corrupt, dishonest and prone to brutalising the colonised peoples and vandalising their properties.”⁷ In analysing police behaviour, including violence, in contemporary Nigeria, it is important to recognise the police legacy bequeathed to Nigeria by British colonial administration. For as has been argued:

The history of police in Nigeria shows that the various forces ... were structured to regulate and regiment the indigenous people and facilitate their exploitation. The earlier police forces were organised as mercenary units and employed in several punitive expeditions to maim and kill “belligerent natives” and to burn and loot obstructionist villages.⁸

A newspaper, *The Lagos Standard* published during the colonial era, captured the deeds of colonial soldiers and police in the following words:

¹Tamuno (1970) chapter 9, *op. cit.* records the use of colonial police forces to violently suppress workers’ strike (1945, 1947, 1949), and Women’s riots (1929 - 1930; 1948) as well as communal riots in Kano (1953) and Tiv land (1929 - 1960).

²*ibid.* P.220.

³*ibid.*

⁴*ibid.* p. 223.

⁵*ibid.* p. 225.

⁶*ibid.* p. 238.

⁷E. E. Alemika (1988) “Policing and Perceptions of Police in Nigeria” 11(4): 161-176.

⁸E. E. O. Alemika (1993b), *op. cit.* p. 202.

The soldiers of the Lagos Government placed in different towns... have not secured for themselves or this government a good reputation.... reports have been born to this colony testifying that they have ceased to keep the peace, that on the contrary they have turned themselves loose upon the people, filling the role vacated by kidnapers, and rioters ... marauders and free booters... there is one painful cry echoing from town to town, from city to city of the evil deeds of the Lagos Constabulary. Goods have been seized from traders, maidens have been assaulted, youths have been plundered, men have been browbeaten and women have been robbed....¹

Colonial governors established and maintained repressive police forces. This legacy bequeathed to the nation's post-colonial rulers, constitute a source of continuing police – community violence in the country. Professor Onoge notes that:

The burden of colonial policing was the subordination of the national interests of the people to the political and economic interests of the state. Through armed mobile patrols, raids, arrests and detention, the raiding of labour camps and the violent suppression of strikes, the police ensured the creation, supply and discipline of the proletarian labour force required by colonial capitalism...Public order took on the character of the repressive mood of a police state. The police enforced the abrogation of civil liberties... and the criminalisation of whole groups of people to prepare them for collective punishment.²

The forgoing discussion shows that police violence was widespread and institutionalised during colonial rule. This is because colonialism rests on political and economic violence. Generally, police violence thrives under dictatorial political system and exploitative economic relations. Colonialism is an embodiment of both, hence the pervasive incidence of police violence in colonial Nigeria.

Police violence did not end with Nigeria's independence from colonial domination and oppression. This may be explained in terms of the two primary causes of police violence - political and economic inequities. The political source of police violence is attributed to authoritarian political and judicial structures. Since independence, Nigeria has been unable to enthrone and consolidate civil rule, as a step towards transition to democracy and good governance. The First Republic (October 1960-January 1966) and Second Republic (1979-1983) were characterised by political intolerance among politicians and political manipulation of the police. In their bid to gain or maintain political power, the politicians employed the police to unleash violence on their opponents. It was reported that the government of Western Nigeria during the First Republic (1960-1966) embarked on:

¹*The Lagos Standard*, March 6, 1985, p.2, quoted in S. C. Ukpabi (1987) *The Origins of the Nigerian Army* (Zaria: Gaskiya corporation) p. 53-54.

²Onoge (1993) *op. cit.* p. 178.

Mass recruitment into local authority forces of thugs and party stalwarts against whom the police should give protection to the ordinary people. These people it was alleged carried out their paid duty of thuggery in local government police uniforms, under the full weight of governmental support.¹

Similarly, in the Northern Region, “political opponents were arrested by native authority police... handcuffed or chained and marched through the streets.”², because they engaged in opposition politics. Rotimi, in an extensive review of the behaviour, deeds and especially the political manipulation of police forces in Western Nigeria, offered the following explanations for politically induced police violence in the country.

...A major instrument for harassing political opponents in the years before 1966 was the NA/LG (Native Authority/Local Government) . police... Politicians in power were inclined to use police, first because of the socialisation processes that the successor-elite had undergone under colonial rule. The colonial state was an authoritarian one, largely intolerant of opposition. Second, it was necessary for mediating the intra-elite struggle for political power and economic privilege by political class. Third, it was necessary for the protection of ethnic power bases of the ruling elite from intrusion by other ethnically based political parties. Fourth, it was used to show off power to the supporters of the opposition parties... Fifth, it was useful to guarantee for the bodyguards or thugs of the power holders, immunity from the long arm of justice whenever they committed illegal acts. Sixth, it was ultimately vital for the perpetuation of the governing elite in power.”³

These explanations account for the political abuse of police authority or power by politicians in Nigeria. But why is the Nigeria police vulnerable to political manipulation especially their use by the rulers to inflict violence on their opponents. Rotimi argues that:

The amenability of policemen to be used by politicians was influenced by one, conformity with their general duty of maintaining law and order. Two, the operational control of the police. Three, the desire of opportunist policemen to secure or advance their careers. Four, the offer of immediate material rewards by politicians ... Five, the sympathy of the individual policemen for the ideals of party in power or for individuals in the party hierarchy to whom they might be related by blood or other personal ties.”⁴

These observations call for caution by the advocates of state police forces because the orientation of the politicians is still largely antithetical to democratic values. Rotimi’s observations, also point to the fact that Nigeria requires a framework for the accountability of the police to the civil society more than in individuals holding executive

¹Working Party on Police and Prisons (1966) *Report* (Lagos: Federal Government Press) p. 13-14.

²O. Ohonbamu (1972) “The Dilemma of Police Organization under a Federal System: The Nigerian Example” *The Nigerian Law Journal* (6): 73-87.

³K. Rotimi (1993) *op. cit.* p. 203.

⁴*ibid.*

powers. The creation of independent police complaint review boards made up of representatives of government, police and civil society organisations at the national, state, divisional and sub-divisional levels, by the federal constitution will be an important step in this direction.

The protracted military rule in the country is another important source of police violence. Military rule elevated the culture of violence and impunity created in Nigeria Police Forces since colonial era, to the level of state policy. Indeed, during Abacha regime, many police officers expressed in private, their dissatisfaction with their job because they felt unable to defend police violence and repression that became widespread. Under the successive military regime, reports a Nigeria Newsmagazine,

... Uniformed men in the police, army, navy, and airforce, customs and uniformed para-military professions- (inflicted) violence on their fellow citizens. Their stock-in-trade is the brutalisation of civilians, often without provocation.¹

Indeed, students and workers suffered collective punishment and violence from the police and military under *successive military regimes* in the country.²

Extent and Pattern of Police Violence in Nigeria

Violence by police in Nigeria, is not only widespread, but is also manifested in several ways. The report of a national study of the Nigerian criminal justice system provided an insight into the extent of police violence in the country. According to the report, based on 882 respondents drawn from suspects in custody across the country:

Nearly half of the accused persons interviewed (48.7%) stated that their arrest involved insult or abuse by the police. Roughly half (51.1%) of the accused persons interviewed indicated that their arrest did not involve use of physical force by the police, however, 35.9% were rough handled or slapped; 7.4% were beaten with a baton; and 3% were threatened with a gun. As to why force was used on them, 24.2% said they did nothing to warrant the use of force, 3% resisted arrest, while 1.6% returned verbal abuse. 5.2% were assaulted because they questioned police behaviour; and 22.5% were assaulted because they either refused to admit the offence or make a statement.³

Police violence in the form of summary executions occurs frequently among Special Task Forces assigned to the patrol of highways and cities to curb armed robbery. Police torture in the form of physical assault frequently occurs at all levels of police work- crowd control, arrest, investigation, and detention. The use of violence by the police against citizens has been recognised as a widespread and persistent problem in the country by the government, public and even the police authority. As a result, senior government and

¹*African Concord* May 5, 1957 p. 14.

²Alemika (1993b) pp. 208-211.

³M. A. Ajomo and I.E. Okagbue eds (1991) *Human Rights and Criminal Justice Administration in Nigeria* (Lagos: Nigerian Institute of Advanced Legal Studies) p. 122.

police officials at various times warned against the practice. However, senior government officials usually fail to acknowledge that police violence thrives because of the undemocratic political structures and unjust economic relations in the country.

Professor Ikhariale has argued that:

For a society going through tremendous socio-political stress brought about by a combination of political and economic misadventure, and compounded further by a governing machinery that is, bedevilled by an un-abating credibility crises, official attempts to forcibly contain, suppress or redirect the natural behaviour pattern of the citizenry which is fundamentally at variance with the wishes and aspirations of the people, there are bound to be conflicts of immeasurable proportions which at times had been tragic. The government quite predictably had resorted to criminal legislation in its effort to overcome these...socio-political contradictions thus created. This development has produced a social order which is comparable to a police state...the regular and indiscriminate incidents of arrests, detention, torture and illegal execution under the pretext of law enforcement had brought large scale violation of human rights of suspects, prisoners, their relatives and a variety of other groups...¹

Apart from the political and economic foundations of violent encounter between the police and citizens, several aspects and problems of the institutional management of Nigeria Police play important roles in promoting or inhibiting violence by and against police in Nigeria. These institutional factors include (a) scope and context of police-citizen contacts, and (b) quality of police services which are influenced by quality and quantity of human and material resources available to police. These factors influence police-public relations and level of violence between the police and citizens.

Explanations of police violence in the literature have tended to emphasise these institutional factors more than the structural, (political and economic) factors. Yet, these factors are secondary to structural factors in the incidence of police-citizen violence. Nonetheless, police violence can be explained in terms of the individual, situational and organisational factors. According to Friedrich:

The individual approach tries to explain police use of force in terms of the characteristics of the officer... the situational approach seeks to account for police use of force by relating it to the specific characteristics of the situation in which police encounter citizens...The organisational approach sees the use of

¹ M.A Ikhariale (1995) "Justice in the Accusation: a Constitutional Evaluation of the Nigerian Criminal Justice System" in Chukwuma Innocent and Akin Ibidapo-Obe (eds) Law Enforcement and Human Rights in Nigeria. (Lagos : Civil Liberties Organisation). page 90.

force as a product of the organisational setting or some aspects of the setting within which it occurs.¹

Those who explain police violence in terms of the pathology of officers emphasise the deficit in their education, social relations' skill, and psychological and moral quality. In contrast, the situational approach focuses on the context of police-citizen contacts. The organisational approach emphasises the role of leadership, quality of training and facilities, departmental rules, discipline and reward system, internal control within police departments as well as the degree to which the police are accountable to the public. These factors are no doubt important. In Nigeria, the average policeman is inadequately educated for the roles he is expected to play. Further, he is inadequately trained for the police work, he is poorly remunerated and equipped and resented by the public. Consequently, he is prone to react to public demand for effectiveness and politeness rather cynically and aggressively.

The scope and context of contacts between the police and citizen are largely restricted to law enforcement situations. These are situations which citizens consider restrictive and therefore resent. The ineffectiveness of Nigerian police, arising from inadequacy of human resources, facilities and funds, lowers the estimation of the police in the eyes of the public. These conditions alienate police from the public and engender police-citizen hostility and violence. The Nigeria Police Force is understaffed, underfunded and under equipped. The force also has not enjoyed stable and effective leadership for decades. As a result, discipline and motivation of officers suffer.

The climate of authoritarian governance in the country provided the police with license to violate citizen's rights, injure, maim, torture and kill citizens with impunity². The Nigerian Police are also victims of violence by criminals; by individuals aggrieved by government policies and police repression of government critics, and by inter - and intra community conflicts³.

Contacts between the police and citizens are the heart of police work. Therefore, the scope, extent and context of police-citizen contacts are important factors in the incidence of violence between the citizen and the police. Literature has shown that police are eager to dominate the citizen during police-citizen interactions. When citizens resent this, the police may resort to coercive and violent actions. Citizens who feel that they have been mistreated may also violently attack the police. Thus, police-citizen contacts may be characterised by co-operation or conflict, depending on the character of the economy,

¹ R.J. Friedrich (1980) "Police Use of Force: Individuals, Situations and Organizations", *The Annals* (November): 82-97 at pages 84.

² E.E.O Alemika (1993b), op.cit; Akin Ibidapo Obe (1995) p.cit; F. Odekunle (1979) op.cit

³ K Rotimi (1993) op.cit; Tamuno T.N (1991) *Peace and Violence in Nigeria* (Lagos: Panel on Nigerian History Project; S.G. Ehindero (1998) *The Nigerian Police and Human Rights* (Jos: Ehindero Press.

polity and community, and on the character and scope of contacts between the public and police.

Statutorily Prescribed Police Ethics in Nigeria

The Police Act prescribe that:

In the individual exercise of his powers as a police officer, every police officer shall be personally liable for any misuse of his powers, or any act done in excess of his authority.¹

The ACT also provides that “every police officer is required to use his best endeavour to uphold the good name of the force, and to further good relations with the public.”² Consequently, the ACT prescribes that a police officer shall “be determined and incorruptible in the exercise of his police duties” and shall “have a strict regard to the correctness of his general behaviour”³ furthermore, the ACT requires Nigerian police officers to develop the following attributes:

- (a) Efficiency and thoroughness through meticulous attention to details in the performance of his duties;
- (b) Courtesy, forbearance and helpfulness in his dealings with members of the public
- (c) Tact, patience and tolerance, and the control of his temper in trying situations;
- (d) Integrity in refusing to allow religious, racial, political or personal feelings or other considerations to influence him in the exercise of his duties.
- (e) Impartiality, the avoidance of feelings of vindictiveness towards offenders;
- (f) Strict truthfulness in his handling of investigations and in the giving of evidence⁴

The literature on police conduct and performance in Nigeria, indicates that these statutory provisions are violated by majority of police officers due to political, economic, institutional, individual and situational factors discussed above.

¹ Section 341 Police Act CAP 359 of the laws of the federation of Nigeria 1990.

² Ibid s.338.

³ ibid. S.339.

⁴ ibid s.340.

Summary

Review of literature and experience indicate that police violence thrives in Nigeria for the following reasons:

- Undemocratic political structures, and the quest by rulers to suppress opposition to dictatorship, involve the use of police to coerce or repress citizens.
- Lack of political accountability by the rulers, which encourage lawlessness by government agents, encourage police to act beyond the law.
- Inequitable economic system, breeds socio-economic conflicts that threaten the interests of the rulers and require the deployment of the police by economic and political power-holders for the suppression of some segments of society.
- Protracted military rule led to the establishment of joint-operation task forces consisting of Armed Forces personnel and the police, to combat crimes, to mount check-points, to monitor the distribution of petrol to filling stations, and to monitor fertiliser distribution, and waste disposal. These did not only become fertile grounds for bribery, extortion and sharp practices but also license for unrestrained use of force against the citizens. The militarisation of the police in these respects compound the 'kill and go' syndrome which was in the past only dominant among the personnel of Police Mobile Force, but now pervasive throughout the Nigeria Police Force.
- The use of police to suppress socio-economic discontents among workers, students and disempowered groups in society, often result in violence by and against police.
- Inadequate training of police officials, lead to misuse of arms and ammunitions against citizens.
- Inadequate supervision of junior police personnel encourage brutality towards citizens.
- Hostile police-public relations precipitate police-community violence.
- Stress - frustration by police officers in response to high crime rates, poor conditions of service, dearth of crime control facilities, especially transportation and communication, arms and ammunition, precipitate violent law enforcement strategies.
- Poor screening of police recruits leads to the recruitment of psychologically and socially unstable persons into the police force, who are prone to violence in the course of law enforcement.

- Poor appreciation of structural and resource limitations, demands and stress of police work in Nigeria, lead to unrealistic demand on police to fight crime without necessary facilities, resulting in the use of the most brutal method of crime control.
- Lack of public respect for the police due to the arbitrary and unjust laws they are called upon to enforce, leads the police to forcefully assert their powers and authority.

These factors, which are by no means exhaustive, combine in different ways to provoke violence by and against the police in the country. The solution to the problem demands adequate analysis of these and other relevant factors and the design of appropriate measures to address them.

CHAPTER TWO

METHOD OF DATA COLLECTION AND ANALYSIS

This study investigates the root causes and patterns of police-citizen violence in Nigeria. It examines the use of violence by the police against citizens as well as the use of violence against the police by citizens. The methods adopted for the collection and analysis of the study are described below.

Population and Sample

The survey method was adopted as the principal method for the study. The two populations for the study are the police and the public. The public population was defined to include the prison inmates. In order to obtain a fairly representative perspective from the populations, data were collected from the public in fourteen of the country's thirty-six states, grouped into six geo-political zones. Data from the prison inmates were obtained from three prisons.

The literature on police–citizen violence has identified several factors that explain police–citizen contacts and conflicts. Such factors include historical, political, legal, economic and organisational environments, as well as socio-biographical factors like age, sex, education and occupation. The questionnaire was designed to capture the relationships between these socio-biographical variables and police-citizen contacts. For a wider representation of respondents from diverse social background, a quota sample method was adopted for the administration of questionnaires among the public (excluding prison inmates) as follows: fifty-five questionnaires were distributed in each of the following fourteen-states in the six geo-political zones.

1. North-Central:

Kwara
Plateau

2. North–Eastern

Adamawa
Borno

3. North-Western

Jigawa
Kaduna
Sokoto

4. South –Eastern

Anambra
Imo

5. South-South

Akwa Ibom

Edo

Rivers

6. South-Western

Lagos

Ondo

General Public Sample

The following quota were assigned to the groups, within the general population, identified below:

- A) commercial drivers/motor park touts(11)
- B) market women (5)
- C) students (15)
- D) human rights activists and lawyers (10)
- E) professionals and middle socio-economic status (14)

Fifty-five questionnaires were therefore distributed to these groups in each of the fourteen states. A total of 670 questionnaires were distributed and 637 completed questionnaires were returned by these groups in the selected fourteen states of the federation.

Prison Inmates Sample

A prison was selected, for the administration of questionnaires to inmates, in each of the three old regions of the country - East, North and West. The three prisons are located in Owerri, Kaduna and Lagos. Eighty (80) questionnaires were administered in each of the prisons. Out of a total of 240 questionnaires that were distributed, 197 completed questionnaires were returned.

Police Sample

Two hundred and ten questionnaires were distributed to the police across the fourteen states. A total of 159 questionnaires were completed and returned.

The primary data for the study were therefore obtained from 993 questionnaires as well as responses from in-depth interviews with members of the public and police personnel. Official statistics and documents, and academic literature supplemented the primary data.

The sampling procedure used was an admixture of quota, purposive and convenience methods. A quota was allocated to groups that were purposively selected, and respondents were picked on the basis of convenience or availability. These methods were used because they are useful for generating required data at relatively lower costs than the classical random sampling method. Respondents were picked on the basis of the prospects of their contact with the police. Experience and contact with the police are important factors in the public estimation of the police and police-community violence.

Ideally, a random sampling method should have been used, in order to test hypotheses and advance generalisable statements about police-community violence. However the primary objective of the study is to describe the causes and pattern of police-community violence. The methods chosen are therefore appropriate. Nonetheless, caution should be exercised in the generalisation of the findings. The social characteristics of the respondents across the country are summarised in table 2.1 below.

Table 2:1 : **Social Backgrounds of Respondents**

	Public	Prison inmates	Police
Sex:			
Male	67.2 (420)	88.1 (171)	86.8 (138)
Female	32.8 (205)	11.9 (23)	13.2 (21)
Age:			
15-24	19.1 (121)	11.8 (39)	3.1 (5)
25-34	45.6 (289)	42.1 (83)	13.2 (21)
35-49	29.3 (186)	30.5 (60)	32.1 (51)
50 and older	6.0 (38)	7.6 (15)	6.9 (11)
Education:			
None	2.2 (14)	2.6 (5)	0.0 (0)
Non-formal/religious	3.3 (21)	1.5 (3)	0.0 (0)
Primary	6.8 (43)	20.5 (40)	8.4 (13)
Secondary	21.8 (137)	46.2 (90)	53.5 (83)
Post secondary	65.8 (414)	29.2 (57)	38.1(59)
Occupation:			
Unemployed	16.9 (105)	13.8 (27)	
Farming, petty trading	7.2 (45)	18.5 (36)	
Driver, motor touts	10.3 (64)	7.7 (15)	
Junior employees	6.9 (43)	7.7 (15)	
Intermediate employees	8.0 (50)	7.2 (14)	
Senior employees	18.6 (116)	7.2 (14)	
Business and Self	12.8 (80)	28.2 (55)	

Employed			
Others	19.3 (120)	9.7 (19)	

Notes

1. These exclude respondents with whom in-depth interviews were conducted.
2. Figures in parenthesis beside percentages are actual figures or frequencies

Data Collection Instruments

Two sets of instruments were designed. These were interview and questionnaire schedules. Three separate questionnaire schedules were designed for administration to the general public, prison inmates and the police. The questionnaires were structured; that is, they consisted of close-ended questions (with pre-coded responses). However, the interview schedules designed and used for in-depth interview of members of the public and the police were unstructured.

Data Analysis

The completed questionnaires were analyzed using the computer. The Statistical Package for Social Sciences (SPSS) was used to generate frequencies, percentages and contingency (cross –tabulation) tables. Being a descriptive study, the analysis of the data presented comparative and relative frequencies and percentages within and between variables. The data analysis was situated within Nigeria’s socio-political environment that shape police- community relations and violence.

CHAPTER THREE

STRUCTURAL ROOTS OF POLICE-COMMUNITY VIOLENCE

Introduction

Police–community violence may be analysed at two levels. These are structural and institutional (police organisation) levels. In this chapter, we analysed the structural roots of police – community violence in Nigeria within the contexts of political repression and economic exploitation that characterise colonial and post-colonial Nigeria polity and economy. The structural level explains the extent, pattern and persistence of violence between the police and citizens since colonial rule. Although the institutional sources of police-community violence explain the incidence and nature of violence, the point is that these sources are very important only to the extent that the political and economic systems of society create, sustain and promote the conditions for conflicts and antagonisms in which police-citizens contacts and violence take place. Police-community violence has persisted for so long and on a large scale because it is a product of unending system of political repression and economic exploitation characterised by conflicting interests of different groups in society. This chapter provides a historical discussion of the political and economic roots of police violence as well as public antagonism towards Nigeria police.

Colonialism and police–community violence

The process leading to the creation of colonial Nigerian State started around the fourth decade of nineteenth century, when Britain established a consular office in Lagos to promote and protect her commercial interests, and to prosecute its slave abolition crusade. In 1861, after a period of destabilisation of Lagos, British colonialists compelled the ruler of the city to cede the territory as a colonial property. Thus, Lagos was acquired as a colonial territory through the use of violence by British forces. Violence was therefore, the foundation of colonial Nigeria.

When Lagos was proclaimed a colony in 1861, a small detachment of policemen was established by the acting consul, Mackorskry, who was in the territory as a trader. The period between 1861 and 1904 witnessed British colonialists subjecting the estimated four hundred nationalities¹ to their domination. As each of the nationalities was subjected to colonial rule, the British established police forces and constabulary to protects its interests.² These forces and constabulary were armed and organised as quasi-military

¹ O. Otite (1990) Ethnic Pluralism and Ethnicity in Nigeria (Ibadan: Shaneson, C.I.Ltd).

² E.O.O Alemika (1993a) “colonialism state and policing in Nigeria” Crime, Law and Social Change, 20:187-219. The police forces and constabulary were ‘McCorsky Police/Consular Guard (1861), Armed Police Force (1863), Gold Coast Constabulary (1876), Lagos Constabulary (1886). The Lagos Police

squad. Such forces in different territories were made up of officials who were strangers in communities where they were employed. The purpose of this practice of alienating the police from the community they serve, was to ensure that such officials, when deployed to execute punitive expedition would act as an army of occupation¹ and deploy maximum violence on the community. An example of this was in 1863, when the colonial Governor of Lagos Colony, H.S Freeman wrote a letter to the Duke of Newcastle in which he highlighted the advantage of an estranged police for the colonial government. According to him, deploying policemen to areas where they are aliens will foster effective deposit of violence in the community policed. Consequently, Freeman reported that:

The men [Hausamen recruited into the force in Lagos Colony] being from the interior and professing the mussulman [Muslim or Islam] religion are hated by the natives of these parts who have hitherto only known them as their slaves. They [Hausas] are disliked also by the Europeans as being of a more independent character than the Lagos people. They thus have only the government to depend on, and if properly managed will prove a valuable resource to this settlement.²

The arrangement did “prove a valuable resource” to the colonial government. As a result, thirty years later in 1893, another colonial governor, Denton in a letter to Rippon in London, reported that:

In our Hausa force we have a body of men dissociated from the countries immediately around Lagos both by birth and religion, and who are as a matter of fact the hereditary enemies of the Yorubas. This is such an enormous advantage in any interior complication [opposition to colonial rule] that I should be sorry to see

(1895-1897), Annesly Police (1889); Oil Rivers Irregular (1892); Court messengers (1892), Niger Coast Protectorate Constabulary (1894), Niger District Police (1900-1905), Southern Police Force (1902), Southern Police Force (1917), Royal Niger Company Constabulary (1888), Northern Nigeria Constabulary (1903), Northern Nigeria Police (1917) and Nigeria Police Force (1930). For details of these forces, see the encyclopaedic Historical work of T.N Tamuno (1970) Police in Modern Nigeria (Ibadan, Ibadan University Press) and E.E.O.Alemika (1930a). From 1914 –1966, there was a dual police system- those established by colonial forces, and local police forces that were managed by colonial surrogates— traditional rulers and native authorities. For detailed discussion of these latter forces see Kemi Rotimi(1993) and P.T Ahire (1993) both in T.N Tamuno, I.L Bashir, E.E.O Alemika and A.O Akano (eds) Policing Nigeria : Past, Present and Future, (Lagos: Nigeria Police Force and Malthouse Press).

¹ E.E.O. Alemika (1993a) ibid. and E.E.O Alemika (1998) “Policing and Perceptions of Police in Nigeria Police Studies 11 (4): 161-176, and P.T Ahire (1991) Imperial Policing (Milton Keynes: Open University Press

² Letter from Governor H.S Freeman to Duke of Newcastle on December 31, 1863 National Archives, Ibadan:cso /i/i/i. This force was also known as the Armed Hausa Police Force, because it consisted largely of Hausas who had been freed from slavery around Lagos. Thus creating enmity between the public and the Police, was a colonial Policy implemented through recruitment and employment, in order to achieve effective containment of opposition to colonial rule. See E.E.O. Alemika (1988) ibid., Tamuno (1970), Chapter 1, op.cit for further discussion.

it abandoned if it were possible to obtain a supply of recruits in any other way (emphasis added).¹

In essence, there was a colonial interest in ensuring hostility and violence between the police and the citizens. The colonial government organised the police as instrument of riot, opposition and suppression. They were not established as agents for promoting rule of law, human rights, and community safety and individual security or for delivering social services.² The colonial police forces were therefore used in punitive expeditions to further the goal of colonial annexation of territories,³ to suppress opposition against colonial exploitation and extortion by killing women protesters and striking workers.⁴ The colonial legacy of police despotism has been captured:

.... Historical evidence demonstrates that the colonial police forces were organised and oriented to behave as occupation forces – ruthless, brutal, corrupt, dishonest and prone to brutalising the colonised peoples and vandalising their properties... The preoccupation of colonial and post-colonial Nigeria police were not the promotion and enforcement of just laws, rule of law, natural justice and equity and security of the vast majority of Nigerians, as colonial surrogates often claimed... the greatest part of the police energies and resources were committed to, and dissipated on, the suppression of struggles and protests against oppression and exploitation, the large scale theft and mismanagement of the public wealth by those who controlled the economy and state apparatus.⁵

Colonial police in Nigeria, "therefore acted " like hostile troops occupying an enemy country" ⁶ rather than a force constituted by or for the people for their collective and individual security. There were two principal areas of dissatisfaction with colonial and post-colonial Nigeria police forces. These areas are conduct and performance. Firstly, the public dissatisfaction with police conduct derives from pervasive corruption, incivility, and insensitivity to the plights of citizens and especially crime victims. Police employed in the course of crime investigation, arrest, and interrogation is also a source of public dissatisfaction with the police.

¹ See Denton and Rippon, August 2, 1893 at the National Archives, Ibadan, cso/1/1/14 and also cited in Tamuno (1970) op.cit. Page 28 and also in Alemika (1988) op.cit.

² See Alemika (1988) ibid ; Alemika (1993a) op.cit. and F. Odekunle (1979) "The Nigerian Police Force: a Preliminary Assessment of Functional Performance" International Journal of Sociology of Law 7 61-83.

³ Examples include the activities of the colonial constabulary police in the pillage of Benin Kingdom (1897), Opobo nation and the battle for Niger confluence occupied by various ethnic nationalities such as Abinu (Bunu land), Bassa Nge, Oworo, Kakanda, Egbura etc) between 1895 and 1900. The 'victory' of the British Force led to the formation and proclamation of the Protectorate of Northern Nigeria with Lokoja as headquarters on January 1, 1900.

⁴ Such instances include women anti tax riots in the East (1929-1930), in Warri Province (1927-1928), in Abeokuta (1948) and industrial Labour strikes in Burutu (1945), Enugu (1949), general strike (1945). Scores of unarmed men and women were "killed or maimed in these incidents by colonial forces.

⁵ Alemika (1988) op.cit. page 165 and Alemika (1993a) op.cit.

⁶ Collin McInnes (1962) Mr Love and Mr Justice London: New English Library, Page 20.

Secondly, the public dissatisfaction, also derive from ineffectiveness of the police in controlling crime, detecting and apprehending offenders, and protecting the rights of citizens who come in contact with them as either complainant/victim or suspect/offender. Thus, since the creation of colonial forces, there have been continuing and widespread dissatisfaction with police conduct and performance.¹ For example, the Lagos Standard in its March 6, 1895 edition, reported that the colonial soldiers and constabulary:

Have not secured for themselves... good reputation... They have ceased to keep the peace, that on the contrary they turned themselves loose upon the people, filling the role vacated by kidnappers, and rioters... taken the place of marauders and free-booters. Goods have been seized, from traders: maidens have been assaulted, youths have been plundered; men have been brow-beaten and women have been robbed... Travellers of all ages have suffered from their cupidity....²

The militarization of the colonial police forces was dictated by the logic of colonial oppression and exploitation. Military power and police power were consolidated, thus colonial police, though called constabulary, or police force, is only that in name, there was little distinction between them and regular army units. These constabularies were originally raised, organised and trained as military units. They were also commanded by officers of the regular army and possessed artillery³. From these discussions, it is clear that police –community violence has its historical antecedents in colonialism with its dual attributes of exploitation and oppression by an alien force for the advancement of political and economic interests and the suppression of the aspirations and dignity of the indigenous peoples. According to Adisa:

During the colonial era, the police force was constructed to serve ...alienated government... Given the circumstance of their ascent to power as foreign impositions, colonial governments were never quite sure of how the native population they continue to rule, will react. Thus, they required a repressive police or military if they were to stay in power against popular sentiments. The police force in this context was designed to terrorise or pacify the natives into succumbing to foreign domination and exploitation.⁴

The nature of colonial rule in the country did not only produce police-community violence but also police vigilantism – characterised by “rough, crude and effective justice which knows little clemency or moderation... to preserve the existing order of things at

¹ See Tamuno, (1970) *op.cit.* pp24-26.

² Cited in S.C Ukpabi (1987) *The Origins of the Nigerian Army* (Zaria: Gaskiya Corporation) pp53-54.

³ *ibid* p.48

⁴ Jinmi Adisa (1999) “A New Nigerian Police Image: its Role in the Next Millennium” Text of a lecture delivered at a seminar organized for Assistant Inspectors –General and Commissioners of Police by the Nigeria Police Force at the International Conference Centre Abuja, October 19-20, p.6

any price.”¹ Police – community violence, since colonial era, may be attributed (I) to the legitimisation deficit of colonial and post-colonial governments; (2) to the exploitation and oppression embedded in the structure of the political entity created as Nigeria through colonialism (3) to the alienation of successive governments and their agencies from the mass of the population, and consequently, antagonism to the government which police are deployed to suppress; and (4) a range of institutional problems relating to quantitatively and qualitatively inadequate personnel as well as obsolete equipment, facilities, arms and ammunitions, and poor management and leadership, etc. These problems persisted beyond colonial rule, until present time.

Police - community violence in post-colonial Nigeria

The struggles for decolonisation and independence were predicated on the belief that self-governance will bring to an end the phenomenon of oppression and exploitation, and the socio-political and economic forces and institutions that sustain them.

Adisa, notes that, at independence in 1960:

Many people thought that from being the enemies of the people the police would become friends of the people as well as the custodians of law and order in society. Regrettably, this has not turned out to be so. Almost four decades after independence, the police are yet to change its orientation to a people oriented police force. Indeed some would argue that the reputation of the colonial police is far better than that of the police we have today. Part of the problem is that democracy was never entrenched in the country²"

Authoritarian rule, by both civilian and military governments, since independence was sustained by state violence using the police, armed forces and other sundry intelligence and security agencies. The purpose and methods of policing in colonial and post-colonial Nigeria are similar because, at the fundamental levels, the political and economic structures of both eras are similar. Police-community violence, although primarily, determined by the political and economic structures and relations in society, may also be analysed at the institutional levels.

Our discussion, thus far, has explained police–community violence in Nigeria as a product of the political and economic structures of colonial and post-colonial Nigeria. We now need to summarise our arguments concerning the structural causes of police-community violence in the country as follows: First, the citizens and governments are alienated from each other, because successive governments since colonial times lacked legitimacy, due to absence of democracy. Thus authoritarian rule was a feature of colonial governments as well as post-colonial civilian and military regimes. Authoritarian rule is a rule of oppression sustained by state violence through the repressive state apparatus – police, armed forces, and security and intelligence services.

¹ Tom Bowden (1978) Beyond the Limits of Law
(Penguin Books).

² Jinmi Adisa (1999) op.cit p.7

Secondly, the economic systems of colonial and post-colonial Nigeria were organised or designed to create and perpetrate exploitation and poverty of the vast majority of the population in order to enrich the rulers. This condition leads to unending conflicts between segments of the exploited and impoverished mass of the population and the rulers. Such conflicts manifest in several ways including law breaking (criminal activities), strikes and lockout; riots, demonstrations, industrial sabotage, etc. The rulers employ the state repressive apparatuses to suppress these reactions to exploitation, thereby further widening the gulf between the rulers and citizens, and also undermining the legitimacy of police.

The repressive political structure and exploitative economic relations in colonial and post-colonial Nigeria gave rise to very high levels of police brutality against women-organised protests and labour strikes as well as police vigilante actions against progressive politicians and political parties, academics, media practitioners, students, labour leaders and unions, pro-democracy and human rights activists, etc.¹ The control of the police and their deployment for repressive purposes are predicated on the need to sustain exploitation without which economic equity and associated disparities will be insignificant and unsustainable. For example, Onoge located police-community violence in the character of colonial political economy:

Through armed police patrols, raids, arrests and detention, the colonial police protected the colonial economy by policing labour. Through the enforcement of unpopular direct taxation, the raiding of labour camps, and the violent suppression of strikes, the police ensured the creation, supply and discipline of the proletarian labour force required by colonial capitalism. The police enforce the criminalisation of lucrative indigenous industries like the manufacture of alcohol and traditional trading patterns across national borders in order to protect the colonial economy from competition²

Rotimi argued that the colonial police were active in the exploitation of the poor by the colonial government and native elite. According to him,

The police ... were intimately involved in tax raids and the arrest of those who engaged in unapproved economic activities. It may be remarked that apart from raising revenue for the government, tax raids were a veritable means of self-enrichment for those connected with them, the native authorities, the police and

¹ See Alemika (1993a) op.cit and E.E.O. Alemika (1998) Recession and Repression in Nigeria (Jos:African Center for Democratic Governamnce); I.E Sagay (1988) 'Recent Trends in the Status and Practices of the Rule of Law in Nigeria" ASUU Monograph series (Ibadan: Academic Staff Union of Universities) and Civil Liberties Organization Annual Reports on Human Rights (1988-1997) for information on some instances of state repression of labour, students, academics, professionals, peasants, and artisan organizations etc, politicians in opposition to government.

² O.F Onoge (1993) "Social Conflicts and Crime Control in Colonial Nigeria" in T.N Tamuno et al (eds) Policing Nigeria: Past, present and Future, (Lagos: Nigerian Police Force and Malthouse Press Limited) page 178.

other tax officials. As should be expected the masses who suffered as a result of the activities of the police saw them as their primary enemies (emphasis added)¹.

Police are not just agents for enforcing the law against harmful conducts but also for protecting the sources of wealth in exploitative economic relations. In doing this police-community violence ensued²

The struggles to hold unto and exercise political power by the political elite are sources of police-community violence in the country. Whoever, and whichever party, control the police use them to suppress political opponents, and to deny the citizens of their rights to free political participation as well as socio-political and economic empowerment. During the colonial rule, police were deployed by their controllers against uncooperative traditional rulers and uncompromising anti-colonial activists. The practice continued after independence.³ For example, it was reported that political parties in power and government prevent the police from successful prosecution of political thugs who perpetrate electoral crimes and political violence. Furthermore, policemen were used to rig elections and to harass political opponents in the Western Region, during the First Republic (1960 –66), Rotimi reported that: "The local government policemen served variously as spies, controllers of rally or party meetings permits, agent provocateurs, terrorists and active party members."⁴

In the circumstance, police-community violence became common, because "the activities of the police drew reactions.... Opposition party leaders enlisted the services of thugs and bodyguards for their personal protection. Supporters of the opposition parties countered police harassment with violence on the police...."⁵. The use of police for political harassment and violence was not limited to the Western Region of the country. Similar practices were also recorded in Northern Nigeria... "⁶

The protracted military rule in the country has intensified structurally determined violence against the citizen by the police. The military regimes in the country, promoted a culture of impunity. Under Abacha's regime, citizens were subjected to unprecedented

¹ Kemi Rotimi (1993) "Local Police in Western Nigeria: End of an Era" in T. N Tamuno et al (eds.) *ibid*, p.215, but generally see pp 213-218 on the employment of police in economic regulation and police-public conflicts that ensued.

² For example in the suppression of strikes, and riots against unpopular economic policies, such as those witnessed between 1986 and 1989 in the repression of students and workers opposed to the paralysing structural adjustment programme introduced by the General Babangida Military regime.

³ K. Tinubu (1969) "The Dilemma of Police under Civilian Rule" *Nigeria Police Magazine* (June – August)

⁴ K. Rotimi (1993) *op.cit.* p.203

⁵ *ibid*, and generally pp.203-212 for discussion of violence against citizens by police as well as violence against police by citizens, consequent upon the political crisis in Western Region (1963 -1966). See also Working party Report on Police and Prisons (1966) pp. 13-14.

⁶ See O.Ohonbamu (1972) "The Dilemma of Police Organization under a Federal System: the Nigerian Example" *The Nigerian Law Journal* 6: 73-78.

level of extra-judicial killings, physical and psychological violence. These occurred through the following measures and actions:

1. Suspension of the country's constitutions including the human rights provisions.
2. Promulgation of retroactive criminal legislation with elements of draconian punishment including death penalty.
3. Proclamation of "shoot at sight order" against suspects, protesters and striking workers, by rulers.
4. The reluctance of authorities to prosecute police and security officers involved in violence against citizens.
5. The establishment of special taskforce and tribunals with wide powers.
6. Enactment of Decrees and provisions ousting the jurisdiction of regular superior courts from reviewing legal and administrative repression by special tribunals, police and security agencies, and the bureaucracy.

Public violence against police

Thus far, discussion has emphasised the sources and instances of violence by the police against citizens. The problem is not one-sided. Although, the police using their powers and facilities, far more inflict violence on citizens, it must be realised that many police officers are victims of violence by citizens. By this is not only meant violence associated with police –suspect encounters, but also reprisal violence against police. Very often, the police are targets of violence by those opposed to the government and see the police as the expression of the power of government. It has been stated that:

The policeman's authority consists of a legal license to coerce others to refrain from using illegitimate coercion. Society licenses him to kill, hurt, confine and otherwise victimise non-policemen who would illegally hurt, confine or victimise others whom the policeman is charged to protect. But the reality and the subtle irony of being a policeman is that, while he may appear to be the supreme practitioner of coercion, in fact he is first and foremost its most frequent victim... (Emphasis added).¹

Violence against the police may be classified into four groups:

- A. Violence associated with police encounters with criminals – as in cases of armed robbery and drug law enforcement activities.

¹ Willaim K, Muir Jr (1977) Police: Street Corner Politicians Chicago: University of Chicago Press, PP 44-45

- B. Violence associated with encounter between police and groups opposed to the government, or with industrial conflicts: This may engender displaced aggression against police by such groups and unions.
- C. Violence associated with police intervention in inter-group (ethnic, religious, etc) conflicts, Police may be accused of partiality, ironically by both parties, and made target of violent attack.
- D. Violence associated with reprisal against police for their actions under condition A - C above.

There are records of violence against the police in Nigeria since colonial times. Initially, police were attacked by individuals and groups who view them as traitors, being servants of an alien force or repressive traditional rulers. Rotimi, in his historical studies of local government police force in Western Region, documents several instances of violence against the police by party thugs and mobs, often as reprisal against the partisan role of the police in elections between 1960 and 1966.¹

According to Rotimi, public violence against the police occurred in Western Region during the first republic, because:

Members or sympathisers of opposition parties against whom the Local Government Police were set, did not always acquiesce in their ordeal. Those who could afford it, among the party chieftains, engaged the services of thugs that countered police violence with occasional assaults on the police. More commonly there was mob counter-violence.²

In particular, Rotimi reported the burning and destruction of many Local Government police stations, beating, shooting and killing of policemen after the 1965 Western Regional elections. In one instance, seven policemen were abducted and killed on their way from Abeokuta to Iro village on 10 December 1965 to arrest some United Progressive Grand Alliance (UPGA) supporters who were threatening the peace in the village.³ In the past three decades, hundreds of policemen have been killed in the line of duty, especially by armed robbers, all over the country. Between 1996 and 1998, policemen in uniform were targets of violence by armed gangs in Lagos. In late 1999, armed gangs in Odi of Bayelsa State abducted and killed twelve police officers. This led to deployment of soldiers to the community to restore order. The town witnessed extensive destruction of buildings by the soldiers on punitive mission. In late 1999 and early 2000, the Odu'a Peoples Congress (OPC) a Yoruba militant organisation attacked police officers with dangerous weapons and acid, killed and injured several police officers and burnt Police Stations.⁴ During the Maitatsine religious violence in Kano, in

¹ K. Rotimi (1993) *op.cit.* pp 211-217.

² *ibid* p 211

³ *ibid.* page 211.

⁴ The Guardian Tuesday, January 11,2000 reported the abduction and murder of Afolabi Amao, a Superintendent of Police, and Divisional Police Officer at Bariga Station by the Odu'a Peoples Congress (OPC) militants. Also a police respondent in

December 1980, 5492 citizens were recorded as dead. Also 14 police officers were killed and 15 police vehicles were burnt. Overall, the police in Nigeria have been victims of politically and criminally motivated violence. There is need for caution in interpreting politically inspired violence against the police as reprisals. Sometimes, the violence against police by political and militant groups represent a symbolic attack on government. It may also be a reflection of the groups' frustration with police efforts that hinder their operations and achievement of their goals. This is a form of displaced aggression. Police efforts against criminals and illegitimate political activities will necessarily invoke resentment among criminals and activists respectively. Thus, violence against the police, though an indication of dissatisfaction with or aggression against, government and its agencies, such violence should not without adequate investigation, be regarded as deserved by the police or as a reprisal against illegitimate conduct on their part.

The discussion in this chapter illustrates two important points. First, the political and economic structures of Nigeria create conditions for violence between the police and citizens. Second, efforts on the part of the police to enforce laws and policies enacted by unpopular governments create violent contacts between them and the citizens. Thus, police-citizen violence may be aggravated by authoritarian rule and exploitative economic relations within a society which formally uphold the values of democracy, human dignity and social justice.

Violence increased in Nigeria in the 1980s and 1990s during military rule.¹ Many attributed this to the militarisation of society. State violence became pervasive during Abacha's regime (1993 – 98). Also, cases of armed robbery increased in several parts of the country (table 3.1) resulting in the establishment of special police squads, with various code names to combat the problem. These conditions created the conducive environment for police-community violence.

A police sergeant in Anambra State, responding to a question on the nature of police–public relations explained that:

There is a lot of suspicion between the police and the public. The people are largely ignorant of police work and this ignorance is why there is violence between the police and the people. Policemen are civil servants and carry out orders just like other civil servants. The order for instance to quell a riot at a higher institution is usually given by the government. The people should realise that policemen do not act alone or on their own and they have a constitutional duty to protect society from criminals.²

Anambra State reported that in 1999, about 60 to 80 police officers were killed by criminals in the state.

¹ E.E.O. Alemika (1997) "Criminal Violence and Insecurity in Lagos State, Nigeria" *Africa peace Review*, 1 (2): 72-95.

² A police sergeant in Anambra State, a respondent in this study.

Table 3.1: Cases of Armed Robbery in Lagos State and Nigeria

Year	(1) Total cases Recorded in Nigeria	(2) Total cases Recorded in Lagos	(3) Col. (2) as % of Col. (1)
1986	1,308	340	26.0
1987	1,260	163	12.9
1988	1,338	140	10.5
1989	1,577	84	5.3
1990	1,700	95	5.6
1991	1,064	68	6.4
1992	1,568	107	6.8
1993	1,975	112	5.8
1994	2,044	272	13.3
1995	2,109	375	17.8
1996	2,419	363	15.0
Total	18,362	2,119	11.5

Source: Nigeria Police Force Lagos State Command (computed from annual crime statistic tables)
 Reproduced from E.E.O Alemika (1997) "Criminal Violence in Lagos State, Nigeria" *Africa Peace Review* 1 (2): 88

Summary

The political and economic structures of society determine the extent and pattern of police-community violence. In Nigeria, police violence was embedded at onset in colonial rule. This is because colonialism is an imperial rule which is "hostile to the institutions of popular self government, favouring forms of political tyranny and social authority which are deadly enemies of effective liberty and equality".¹ Given the repressive political structure and exploitative economic relations that constitute the bedrock of Nigerian society, the police who are the defenders of the repressive and exploitative order could not have gained the consent and support of the people. In the circumstance, the police employed violence in asserting their authority that is resisted by citizens who perceive 'police authority' as oppressive. Consequently, police-citizen contacts in the country are characterised by mutual hostility and resentment.² Police brutality is often a symptom or consequence of pervasive conflicts between the government and citizens. The fundamental causes of police-citizen violence are the conflict of interests that derive from repressive polity and exploitative economy riddled with injustice, inequity and authoritarianism.

¹ W. A. Forster, (1951) *Outline Political History of Americas*. (New York: International)

² These expressions of resentment, treatment, hostility are expressed in the headlines of the nations newspapers for example "uniform thugs versus the rest of us" (African Concord, May 5, 1987), "the big clash: Lagos mob battles hateful police" (African Concord, December 1, 1987), "Nigeria : offensive robbers versus defensive police" (the African Guardian, October 1 1987) "police in crime" (Times International March 2, 1987); "police: A hard to travel (the African Guardian January 28, 1988).

The political and economic structures of Nigerian gave rise, not only to police violence, but also a pervasive and entrenched culture of impunity and incessant conflicts between citizens and security forces. The African Concord (May 5, 1987) reported that in 1986 alone, there were “42 incidents of barbaric and savage infliction of pains on civilians by uniform men”. According to the weekly newsmagazine, the ways and conducts of Nigerian security agents:

are hardly different from those of thugs and ruffians – sadistic and violence. Their victims are often civilians, unarmed men and women. All over the nation, some uniformed men- in the police, Army, Navy, Airforce, Customs and sundry uniformed, para-military professions - have been inflicting violence on their fellow citizens. Their stock in trade is the brutalisation of civilians, often without provocation.¹

The fact is that violence against civilians by personnel of the various security forces in the country is widespread. Police violence is more noticeable because of the wider scope of interaction between the citizen and the police. In the light of the pervasive experience of citizen brutalisation by security forces, meaningful explanation of police violence can only be discovered in the light of deeper phenomenon of state violence designed and executed to protect the country’s political economy rather than as a product of police institutional and personality factors.

It is better to understand police violence in terms of political and economic parameters of society. As Clark and Sykes have rightly observed:

The sources of coercion (and violence) exercised by the police are as unexplicated as they are diverse. Historically, much of the impetus for the coercion of others came from those who had something to gain thereby and who are in circumstances where their desires could be converted into public policy. Therefore propertied persons, governmental officials and those with strong moral convictions were particularly instrumental in arming police with coercive power².

¹ African Concord May 5, 1987, pp 14-15.

² J.P Clark and R.E. Sykes (1974) “Some Determinants of Police Organization and Practice in a Modern Industrial Democracy” in D. Glasser (ed) Handbook of Criminology (Chicago :Rand McNally) p. 457

CHAPTER FOUR

INSTITUTIONAL CAUSES OF POLICE-COMMUNITY VIOLENCE

Introduction

Several facets of police organization, management and operations feed on the structural causes of police-community violence to escalate and intensify the incidence and severity of violence in the interaction between the police and citizens. Such elements include:

- (a). Character of laws in society
- (b). Nature, Extent and scope of police-citizen contact
- (c). Quality and quantity of police manpower and material resources
- (d). Police recruitment, training and orientation
- (e) Police discipline in relation to supervision, corruption, and incivility to the public
- (f) Police accountability

An analysis of these facets is critical to the understanding of police-community violence in the country.

Nature, Extent and Scope of Contacts

Police and citizens are in constant daily contacts. These contacts may be voluntary or involuntary. The nature, extent and scope of contacts influence police-public relations. According to White et al:

Interacting with citizens constitutes an important part of a police officer's daily activities. Many aspects of these interactions have the potential for influencing how the police and citizens perceive and evaluate each other ... Research over the years has established the fact that contacts between the officers and citizens influence police-community relations in major ways, often for the worse ...Citizens often bring to the interaction an array of attitudes and preconceived notions about the police and their conduct... Likewise, the officer brings to the interaction a similar attitude of presumptions, prejudices, and perceptions of the citizen. Prior research has established that the officer is sometimes ... prejudiced, callused by contacts with undesirable and unrepresentative population elements, and is trained to assert authoritative control in these contacts. In addition, the police culture abounds with perceptions of the public as uncooperative, unsupportive, and antagonistic towards the police.¹

¹ M. F. White, T.C. Cox and J. Basehart (1991), "Theoretical Considerations of Officer Profanity and Obscenity in Formal Contacts with citizens" in Thomas Barker and David L. Carter (eds.) Police Deviance (Cincinnati, Ohio: Anderson Publishing Co.).

Police-citizen contacts are characterized by prejudice and preconceived notions. The citizens, therefore, tend to resist the police and the latter try to assert their authority. These are two important factors in police-citizens violence. Antagonism and violence between the police and citizen tend to be higher in societies where the police concentrate on law enforcement than in societies where the police blend law enforcement and social welfare services. Except the police see themselves as "part of the social fabric of a community, they will be perceived as an alien force, and, unless they are clearly visible in their roles of helping people in trouble, they will be seen as a mercenary army of enforcers."¹ In Nigeria, the "acute shortage of personnel has reduced the police to crime fighters [which they do very ineffectively due to qualitative and inadequacy of men, material and money] to the detriment of the diversification of police functions found in western societies."² The provision of social services by the police creates opportunities for non-coercive contacts between them and citizens. In Nigeria:

Few members of the public see the police as friends, instead the sight of police is considered synonymous with trouble. This is partly because in the absence of a social service dimension in police work in Nigeria, the police pre-occupations or routine police work revolve around stop and question/search, arrest, crime investigation, detention, prosecution, riot and crowd control, and armed combat against violent criminals and guarding of the rich and powerful. Consequently, there are rather too few positive attributes of policing that can be projected.³

This research shows that there is an extensive contact between the citizens and police in Nigeria. Such contacts occur in the course of police operations in the following areas:

- Crime prevention, especially through stop and search at road blocks (checkpoints) on highways;
- Crowd and riot control;
- Detection, investigation, apprehension and prosecution of offenders;
- Detention;
- Bail of suspects, pending or prior to arraignment in court;
- Request of assistance by crime victims;
- Request for location of missing persons and recovery of lost properties.⁴

Table 4.1 shows that 68.8% (432) of the respondents had ever been stopped and searched by the Nigeria Police Force. The table also indicates that most of such contacts took place in a vehicle while on a journey. The phenomenon of roadblock or checkpoints

¹ A. S. Blumberg (1979) *Criminal Justice* 2nd ed. (New York: New Viewpoint), p.59.

² Oluyemi Kayode (1983) "Nigeria" in E.H. Johnson (ed.) *International Handbook of Contemporary Developments in Criminology*, Westport, Conn: Greenwood Press.

³ E .E.O Alemika (1988), "Policing and Perceptions of Police in Nigeria", *Police Studies*, p.174

⁴ E.E.O, Alemika (1999) "Police Community Relations in Nigeria: What Went Wrong?", Paper presented at the Seminar on Role and Function of the Police in a Post Military Era, Organised by the Centre for Law Enforcement Education (CLEEN) and the National Human Rights Commission, in Abuja, from March 8-10.

(derogatively called "toll points") as a crime prevention strategies, has been associated with monumental police corruption and extortion, incivility and violence, sometimes extra-judicial killings. The government and police authority recognised the negative aspects of the practice and have at various times ordered its abolition, only for it to be reintroduced at the request of members of the public, who associated its absence with increased rates of robbery and insecurity.¹ More than three-fifth of such contacts understandably occurs during the day, when most people travel.

Table 4.1: Contacts with the Police: Stop, Search, Arrest and Detention

Level and Location of Contacts	Yes	No
3. Ever stopped and searched by the Nigeria police	68.8 (432)	31.2 (196)
4. Location of Stop and Search Contacts		
(a) In a vehicle on a journey	66.1 (294)	33.0 (147)
(b) In a vehicle within town	32.1 (142)	67.4 (298)
(c) On a street	18.1 (26)	81.9 (362)
(d) Within residence	5.9 (26)	94.1 (414)
(e) At work or school	6.8 (30)	93.2 (412)
5. Period or time of contact		
(a) Day time	61.0 (316)	39.0 (200)
(b) Evening	23.8 (123)	76.2 (394)
(c) Night	21.6 (111)	63.1 (402)
6. Ever arrested by Nigeria Police	33.8 (210)	66.2(412)
7. Number of times ever arrested		
(a) Once	49.0(119)	
(b) twice	30.0 73	-
(c) thrice or more	21.0 (51)	-
8 Offence for which arrested		
(a) Traffic	27.1 (64)	71.6 (169)
(b) Theft	18.3 (44)	81.3 (195)
(c) fighting and assault	22.2 (53)	77.4
(d) Strike or protest	13.3 (32)	86.7 (208)
1. Ever lived with a police in same compound	31.3 (197)	67.7 (426)
2. How long respondents lived in the same compound with police		

¹ Some cynical Nigerian, however, argue that both the apparent increase in highway robbery and public demand for road blocks are sponsored by police who wish to retain the "lucrative business" of extorting bribes from road users and inflicting violence on those who prove obstinate.

(a) Less than 2 years	32.3 (70)	
(b) 2-5 years	36. (79)	-
(c) 5 years and more	31.3 (68)	-
9. Ever detained in police cell	28.3 (164)	71.7(415)
10. length of Detention		
a) Less than a day	32.8 (65)	
b) 1-3 days	44.4 (88)	-
c) 4-7 days	12.1 (24)	-
d) 1-4 weeks	4.0 (8)	-
e) 1-3 months	3.0 (6)	-
f) 3 months and above	3.5 (7)	-

Percentages are based on respondents who indicated "yes" and "no" and not necessarily with respect to total respondents

The data for the study also show that about a third (33.8%) of the respondents had ever been arrested before by the police. Among those arrested, more than half (51%) had been arrested twice or more. Many of them were arrested for traffic offences (27%); fighting or assault (22.2%); theft (18.3%) and strike or protest (13.3%). The data also reveal that less than a third (28.3%) of the respondents had ever been detained for three or fewer days. These information show that police and citizen contacts, though relatively significant, have occurred mostly in pursuance of law enforcement objectives by police. In general, police actions are restrictive and resented by the public, who finds police intrusion, restriction and surveillance unpleasant. Although police presence contributes to feeling of security among the citizens, it also "conjure" up images of surveillance, inconvenience, embarrassment, frustration and indignation,¹ as well as prospects of police coercion and violence. The restrictive contacts between the police and citizens in Nigeria, against the background of the country's political and economic structures discussed in the preceding chapter, contributes to or escalates mutual hostility between the police and citizens, which occasionally results into violent encounter.

The frequency, content and consequences of contact between the police and citizens are not randomly distributed. The poor and powerless, according to criminological literature are disproportionately and discriminately subject to police surveillance and violence.² Police-citizens contacts have significant impact on police-public relations. For example, in Nigeria, certain groups in the public (students, the educated, some occupations, e.g. taxi drivers) have a much more negative view of the police than does the general public, which having little education and knowledge of their rights and much experience with

¹ J.P. Clark (1965) "Isolation of the Police: A Comparison of the British and American Situations", Journal of Criminology and Police Science, p.56

² See H. Hahn (1970), "The Public and the Police: A Theoretical Perspective" in H. Haha (ed.), The Police in Urban Society (Beverly Hills, CA: Sage Publications); E.E.O Alemika (1993.b) "Criminology, Criminal Justice and the Philosophy of Policing" in T.N. Tamuno: I.L Bashir; E.E.O Alemika and A.O. Akano (eds.) Policing Nigeria: Past, Present and Future (Lagos:Nigeria Police Force and Malthouse Press Ltd.) pp. 30-78; and W.J Chambliss (1969), Crime and the Legal Process (New York: Mcgraw Hill) P.86

arbitrary and forceful police behaviour, regards the police with a mix of awe, fear, and resentment."¹ (Emphasis added)

Similarly, a study of perceptions of police in Nigeria, reveal that positive perceptions of police are inversely related to extent of contact, age and level of education. In effect, those who have greater contact with police, more educated and older citizens have less positive attitudes towards the police.² Table 4.2 did not indicate significant differences in the degree of contact with the police by citizens from different educational backgrounds. However, table 4.2 shows that there are significant relationships between education and arrest and detention by the police. Citizens with primary and lower education reported having been arrested and detained before by Nigerian Police more than their counterparts with secondary and post-secondary education.

Table 4.2 Education, Stop / Search, Arrest and Detention

Education	Ever Stopped and Searched by other?		Ever Arrested by Police		Ever Detained in Police cell?	
	Yes	No	Yes	No	Yes	No
None	11 78.6	3 21.4	9 64.3	5 35.7	9 64.3	5 35.7
Non-formal religious and literacy education	17 81.0	4 19.0	13 65.0	7 35.0	11 55.0	9 45.0
Primary Education	33 78.6	9 21.4	28 65.0	15 34.9	23 56.1	18 43.9
Secondary Education	86 64.7	47 35.3	61 45.2	74 54.8	48 36.1	85 63.9
Post – Secondary Education	284 69.1	127 30.9	99 24.5	305 75.5	73 20.0	292 80.0
	X ² =4.96, df=4 P>.29		X ² =56.5, df=4 P<.001		X ² =47.6; df=4 P<.001	

The relationships between occupation and likelihood of being stopped, searched, arrested and detained by the police were also examined. The data presented in table 4.3, show that likelihood of stop and search, arrest and detention, vary across occupation. Commercial drivers and motor park touts reported the highest rate of stop and search, and arrest/detention by police. This is understandable, because, table 4.1 shows that two-third of those who reported having ever been stopped and searched, stated that this occurred at police checkpoints or highways. Farmer and petty traders reported the highest rates of arrest by the police. They also reported a relatively high level of detention (table 4.3)

¹ O. Marenin (1985) "Policing Nigeria: Control and Autonomy in the exercise of Coercion", African Studies Review, 28(1); 73-93

² E.E.O Alemika (1988) op.cit.

Table 4.3 Occupation and Stop / Search, Arrest and Detention

Occupation	Ever stopped and searched by police?		Ever arrested by police?		Ever detained by police in the cell?	
	Yes	No	Yes	No	Yes	No
Unemployed	60 58.3	43 41.7	21 20.6	81 79.4	17 18.1	77 81.9
Farming and petty trading	25 58.1	18 41.9	17 38.6	27 61.4	17 40.5	25 59.5
Commercial driver and park joints	58 90.6	6 9.4	46 21.9	18 28.1	35 54.7	29 45.3
Junior employees	19 44.2	24 55.8	12 29.3	29 70.7	8 21.1	30 78.9
Intermediate employees	35 70.0	15 30.0	13 27.7	34 72.3	14 29.8	33 70.2
Senior employees	92 80.0	23 20.0	32 27.6	84 72.4	24 23.8	77 76.2
Business men	57 72.2	22 27.8	31 39.2	48 60.8	26 35.1	48 64.9
Others, including students.	78 66.1	40 33.9	35 30.2	81 69.8	20 18.7	87 81.3
	X ² =41.6; df=7 P<.001		X ² =54.6; df=7 P<.001		X ² =38.4; df=7 P<.001	

The data show that respondents had relatively high level of contacts with the police. The contacts were in the form of stop and search, arrest and detention. These are forms of involuntary contacts, which in effect impinge on citizens' freedom and may heighten police-citizen hostility. An irony of increased police surveillance and proactive aggressive policing tactics in order to prevent and control crime, is that they tend:

to multiply the occasions on which citizens are likely to be stopped, questioned or observed. Inevitably, the great majority of the persons stopped will be innocent of any wrongdoing; inevitably many of these innocent persons believe the police are harassing...¹

The frequent contact between citizens and police who, in the course of their duties, are uncivil to the public and who sometimes abuse their power to extort money are sources of violence between the police and citizens. Citizens become defiant if police are uncivil and corrupt. The police interpret the defiant demeanor of the citizens as a challenge to their authority, and may sometimes resort to violence in order to assert their authority. A large number of Nigerian police believe that the citizens do not respect them. A police officer, responding to a question on police-public relations in Nigeria reported:

I have had the privilege of serving the police both within and outside the country. When you get outside, you find that the job of a policeman is an enjoyable one. Enjoyable in the sense that the public respect you and if you are policing within the

¹ J.Q Wilson (1975), Thinking About Crime, New York: Basic Books), p.121.

ambit of the law, it is always obeyed. The reverse is the case in Nigeria(emphasis added)¹."

However, the citizens consider the police to be uncivil. According to a respondent:

I have lived with policemen before. I was able to observe that many policemen want to arrogate power and superiority over others to themselves. They want to be adored as semi-gods ... these men are meant to be regarded as friends to civilians, but unfortunately, the reverse is the case. Sometimes, it emanates from pride on the part of some ill-informed policemen. Some of the policemen constitute terror to members of the public. They are not friendly, especially when members of the public fail to meet the whims and caprices of these police officers, monetarily ... they would lord it over the civilians.²

The analysis of the in-depth interview shows that members of the public attribute police-public violence to lack of education and enlightenment on the part of the police, regarding their powers and relationship with the public, and to the influence of long military rule which account for the arbitrary police powers. Violence against the police by the public was generally viewed as a reaction to police intimidation and government repression of people with grievances. According to a respondent:

The violence against the community by the police is part of societal problem following the long period of military rule. Everybody wants to acquire power and so also the police. Because of the general dissatisfaction with law enforcement by the Nigerian police, the communities are reacting violently. The police had all the power while the military was in power.³

Police-Citizen Contacts and Violence

In discussing the problem of police-citizen violence in the context of police-citizen contacts, it is necessary to adopt a relevant and broad definitions of violence that capture the action and effects of unfriendly contacts. Several concepts have been used, sometimes interchangeably to characterize the mistreatment of citizens by police. The terms include torture, brutality and violence. The important dimensions of the concepts are often identified. There are physical and psychological trauma. Barker and Carter employed the concept of "abuse of authority" to capture the three dimensions of police behaviours that may produce physical and non-physical harm to the victim (of such behaviours). According to them:

... abuse of authority ... may be defined as any action by a police officer without regard to motive, intent, or malice that tends to injure, insult, trespass upon

¹ A police Officer respondent, serving in Anambra State

² A respondent, legal practitioner, from Anambra State

³ A lawyer respondent, resident in Imo State.

dignity, manifest feelings of inferiority and/or violate an inherent legal right of a member of the police constituency in the course of performing police work.¹

According to Barker and Carter, abuse of authority manifests in three ways - physical abuse, psychological abuse and legal abuse. Physical abuse incorporates police brutality and police violence and "occurs when a police officer uses more force than is necessary to effect a lawful arrest or search, and/or the wanton use of any degrees of physical force against another by a police officer under the color of the officer's authority."² Psychological abuse :

... includes circumstances wherein a police officer verbally assaults, ridicules, discriminates, or harasses individuals and/or places a person who is under the actual or constructive dominion of the officer in a situation where the individual's esteem or self-image are threatened or diminished, threats by an officer of physical harm to an individual or the unjustified threat of an arrest are examples of psychological abuse.³

The third form of abuse identified by Barker and Carter is legal abuse. This form of abuse is "the violation of a person's constitutional, federally protected, or state-protected right by a police officer. An improper search, stopping a person without legal grounds... are all examples of legal abuse."⁴ Barker and Carter distinguishes abuse of authority from occupational deviance which includes police corruption and related misconduct. These concepts and their elaboration are useful for the understanding of police violence. Similarly, an adoption of a citizen's definition of police brutality and violence, may be very useful in understanding the wider scope of police-public contacts and relationships:

what citizens mean by police brutality covers the full range of police practices ... any practice that degrades their status, that restricts their freedom, that annoys or harasses them, or that uses physical force that is frequently seen as unnecessary and unwarranted, (emphasis added).⁵

This perspective is useful because it depicts what the citizens consider appropriate and inappropriate use of police power that determines their attitude and actions toward the police. The United States President Commission describes police brutality in terms of excessive force, name-calling, sarcasm, ridicule, and disrespect.⁶ A broad description captures the breadth of public's resentment against the police intrusive activities -violent and non-violent.

¹ T. Barker and D.L. Carter (1991), " A typology of Public Deviance" in T. Barker and D.L. Carter (eds.) Police Deviance (Cincinnati, Ohio: Anderson Publishing Co.), p.7. (emphasis added).

² Ibid.

³ Ibid. Pp7-8

⁴ Ibid. P8

⁵ D. L. Carter (1984) "Theoretical Dimensions in the Abuse of Authority by Public Officers", Police Studies 7(4): 25

⁶ Quoted in D.L. Carter (1984), *ibid.*

In Nigeria, public perception of police brutality and violence, which influence their uncooperative and un-supportive attitude towards police is broad, encompassing both physical and verbal assault, harassment and restraints from exercise of their constitutional rights. In particular, police roles in industrial disputes resulting in workers strike, student demonstrations, public procession and demonstrations against unpopular government policies, frequently involve violence, harassment and intimidation, arrest and detention. Public perception of police violence seems to be synonymous with police oppression.

Table 4.4 contains the experience and observation of police brutality by the respondents. More than two-fifths of the respondents reported ever been abused (insulted) by police. Between 10% and 20% have ever been injured (10.6%), beaten (14.8%), kicked (13.5%) and slapped (20.0%) by police. More significant, the data in table 4.4 revealed that 22.5% had experienced police pointing gun at them, while 21.3% of the respondents reported that police had threatened to shoot them in the past. The data show that police brutality is widespread in the country. Furthermore, police in Nigeria frequently threaten citizens with gun. This occurs frequently at checkpoints, where police menacingly display their gun to threaten road users. Under the military government, the issuance of "shoot at sight" order against crime suspects as well as demonstrators give the police the wrong impression that firearms and violence are to be used as tools of routine police work.

Table 4.4 Experience and Observation of Police Brutality

Nature of Behaviour	Yes	No
1. Respondents' experience:		
a. Ever abused by Nigeria police	41.4 (230)	58.6 (326)
b. Ever slapped	20.0 (101)	80.0 (404)
c. Ever kicked	13.5 (72)	86.5 (460)
d. Ever beaten	14.8 (79)	85.2 (455)
e. Ever injured by police	10.6 (56)	89.4 (472)
f. Police ever pointed gun at you	22.5 (121)	77.5 (416)
g. Police ever threatened to shoot you	21.3 (114)	78.7 (421)
2. Respondent ever observe or witness:		
a. police abusing a citizen or suspect	79.5 (458)	20.5 (118)
b. police slapping a citizen or suspect	72.1 (411)	27.9 (159)
c. police kicking a citizen or suspect	69.0 (394)	31.0 (177)
d. police beating a citizen or suspect	73.2 (424)	26.8 (155)
e. police inflicting injury on a citizen or suspect	51.9 (287)	48.1 (266)
f. police pointing a gun at a citizen or suspect	63.3 (356)	36.7 (206)
g. police shooting a citizen or suspect	27.5 (144)	72.5 (380)
h. police receiving bribe	82.5 (494)	17.5 (105)
3. Ever observed police helping a citizen	59.1 (328)	40.9 (227)

Table 4.4 also shows that respondents observed the police engaging in diverse acts of brutality against other citizens or suspects - insulting (79.5%); slapping (72.1%); kicking (69.0%) beating (73.2%); inflicting injury (51.9%), pointing a gun (63.3%), shooting (27.5%), receiving a bribe (82.5%). The high rates of observed police violent acts against the citizens or suspects partly account for the hostile public attitudes toward the police.

Unfortunately, the situation breeds a vicious circle of mutual police-public hostility and violence.

The non-random distribution of police violence against citizens in the population has been attributed to various factors, including variation in contacts, criminality, arrest, and weapon possession by different groups in society. It has also been attributed to police prejudice and discriminatory law enforcement practices in relations to groups that are marginal to or marginalised from political and economic power. Thus lower class persons are said to be more likely to be victims of police violence because they commit more crimes- and especially violent crimes, and also because of police prejudice and harsh law enforcement practices in relations to them. Power-relations play important role in police violence. The police are more likely to assault individuals they consider to be poor and powerless or someone in opposition to the ruling government.

These is also, a psychological proposition that : there are violence – prone individuals who precipitate police violence on themselves: According to Hans Toch: "The violence-prone person invites violence-prone interacts with other people. These interactions follow a pattern, in that they arise under repeatedly occurring circumstances, and in that they serve equivalent ends."¹

This idea or attempt to extend the concept of victim-precipitated homicide introduced into criminology vocabulary by Professor Marvin Wolfgang in 1958, in his study on criminal homicide in Philadelphia .² In the work, Wolfgang argued, that in significant number of cases, homicide victims, were the first to threaten or use violence against their partners, but ended up being victims. Extending this logic, many victims of police violence precipitated their victimization because of their reactions to the police during an encounter. According to Professor Hans Toch:

....two types of orientation are especially likely to produce violence: one of these is that of the person who sees other people as tools designed to serve his needs; the second is that of the individual who feels vulnerable to manipulation. These two perspectives, when we examine them more closely become faces of the same coin; both rest on the premise that human relationships are power-centered, one way affair, both involve efforts at self-assertion with a desperate feverish quality that suggest self-doubt.³ Although this perspective on violence, and especially violence by police against citizens may easily degenerate into a victim-blaming explanation, it nonetheless, points to the significance of power and mutual assertion in the pathway to violence by and against police.

Experience of police brutalisation vary among people with different levels of education and occupations. Table 4.5 shows that people without formal education reported being beaten than their counterparts with primary and higher education. Respondents with lower education also reported high observation of police violent act against citizens (table 4.5). There is no statistically significant difference in the reported experience of

¹ Hans Tochh (1969) Violent Men (chicago: Aldine), p.255

² M. E. Wolfgang (1958) Patterns of Ciminal Homicide (Philadelphia: University of pennsylvania

³ Han Toch (1969) op cit. P.183

respondents with different levels of education with respect to having ever been threatened with gun by police, which usually occur by police menacingly pointing gun at approaching vehicles at checkpoints.

Table 4.5 Education and police brutalisation

Education	Ever kicked and beaten by police?		Ever threatened with gun by police?		Ever witnessed police insulting, beating and kicking citizens?	
	Yes	No	Yes	No	Yes	No
None	6 46.2	7 53.8	4 30.8	9 69.2	10 76.9	3 23.1
None-formal religious literacy education	6 31.6	13 68.4	5 26.3	14 73.7	12 57.1	9 42.9
Primary education	5 12.5	35 87.5	9 22.0	32 78.0	25 59.5	17 40.5
Secondary education	21 18.1	95 81.9	24 20.7	92 79.3	73 55.3	59 44.7
Post- secondary education	33 9.8	304 90.2	70 20.6	270 79.4	165 41.6	232 58.4
	X ² = 23.3; df=4; P<.001		X ² 1.1;df=4 P>.89		X ² =16.5; df=4 P<.01	

The data in table 4.6 shows that individuals in certain occupations reported higher experience and observation of police violence. Automobile drivers, Motor Park touts and businessmen reported having ever been beaten, kicked and threatened with gun than respondents in other occupations. Intermediate and senior employees of public and private organisations also reported a relatively high level of threats with gun by the police. The higher incidence of police brutality reported by commercial drivers is linked to widespread location of checkpoints on the nation's highways, where many police officers extort money from the drivers. Police brutality, in that context, constitutes a tool of extortion.

Table 4.6 Occupation, and Police Brutalisation

Occupation	Ever beaten or kicked by police?		Ever threatened with gun by police?		Ever witnessed police insulting and beating citizens?	
	Yes	No	Yes	No	Yes	No
unemployed	12 13.5	77 86.5	12 13.8	75 86.2	56 55.4	45 44.6
Farming and petty trading	5 12.8	34 87.2	6 15.4	33 84.6	22 52.4	20 47.6
Commercial driver and park joints	21 36.2	37 63.8	19 31.7	41 68.3	39 62.9	23 37.1
Junior employees	3	37	3	36	16	26

	7.5	92.5	7.7	92.3	38.1	61.9
Intermediate employees	3	38	12	31	21	27
	7.3	92.7	27.9	72.1	43.8	56.2
Senior employees	7	78	18	69	49	62
	8.2	91.8	20.7	79.3	44.1	55.9
Businessmen	12	56	23	46	31	47
	17.6	82.4	33.3	66.7	39.7	60.3
Other, including students.	8	94	17	83	47	69
	7.8	92.2	17.0	83.0	40.5	59.5
	X ² =33.8; df=7 P<.01		X ² =20.3; df = 7 P<.01		X ² =15.2; df=7 P<.05	

The practice of police slapping, kicking and beating suspects, constitutes violence against citizens. So also, pointing guns at citizens or threatening to shoot citizens with gun by police, though practically constitute a threatened violence can be described as brutality or torture. These acts also constitute degrading treatment, which is prohibited by the Constitution. The Constitution provides that: "every individual is entitled to respect for the dignity of his person, and accordingly - (a) no person shall be subjected to torture or to inhuman or degrading treatment."¹ There have been judicial pronouncements on this constitutional provision. Of specific relevance to the present analysis is the position of Justice Nasir, former president of the Court of Appeal. According to him:

The phrase inhuman treatment means in my opinion, any barbarous or cruel act or action without feeling for the suffering of others. Thus it was held by Adefarasin C.J. in *Alhaja A. Magaji and ORS. V. Board of Customs and Excise* (1983) 2 MCLR 552 at 460 that the actions of the officials of the Board of Customs and Excise aided by police officers and soldiers to descend on market women with guns and horse whips and to seize goods arbitrarily in an atmosphere of gun shots and horse whipping is out of step with the law and offends section 31[1][a] of the Constitution as being inhuman and degrading treatment.²

The Nigerian police frequently resort to vigilantism - the ruthless execution of instant justice to suspects and individuals considered by the police to be defiant towards their authority. It must be emphasized, however, that in view of the prolonged military rule and associated practices of arbitrary exercise of powers and official impunity, militarism and authoritarian temperament and quick resort to violence became widespread among groups in the country. Thus among uniformed personnel, the resort to violence in any dispute with citizens or in the course of law enforcement became heightened and prevalent. Thus in dealing with suspects of armed robbery, the police resort to summary executions. As Professor Adeyemi observed:

¹ Section 34 of the Constitution of the Federal Republic of Nigeria, 1999, Similar Provisions were in section 31 of the 1979 Constitution.

² Cited in S.G. Ehindero (1998), The Nigeria Police and Human Rights, (Jos: Ehindero Press Ltd), p.64; S. 31[1] [a] cited was the provision against inhuman and degrading treatment in the 1979 Constitution.

... there is no gainsaying the fact that the practice of wasting robbers amounts to extra-legal, arbitrary and summary executions, which have been unanimously condemned by all countries, including Nigeria. Perhaps, the practice has so far escaped serious legal consequences for the Force and the personnel involved, principally because of the military dictatorship that Nigeria had experienced in the immediate past fifteen years, and the fact that many suspects and their relatives appeared not to be fully aware of their rights within the context of criminal justice administration.¹

Table 4.7 reveals that 81%, 73.2% ; 77.5% of the inmate respondents, respectively reported having ever been beaten by police, threatened with weapons ad tortured in police cells. Further, 39.7%, 33.3% and 50.8%, respectively reported being burnt with hot objects, shocked with electric current and pricked with needle or sharp objects. The latter practices constitute torture and are frequently used by police in the course of interrogation and to obtain confession from suspects.²

Table 4.7: Inmates treatment by Nigeria police

Treatment	Yes	No.
Abused or insulted when arrest	80.3 (155)	19.7 (38)
Beaten or slapped	81.0 (158)	19.0 (37)
Threatened with weapons	73.2 (142)	26.8 (52)
Tortured in police cell	77.5 (148)	22.5 (43)
Denied water and food in the police cell	56.3 (71)	43.2 (54)
Denied contacts with relations and lawyer	56.8 (76)	43.7 (55)
Burnt with hot objects	39.7 (48)	60.3 (73)
Shocked with electric current	33.3 (40)	66.7 (80)
Pricked with needle or sharp	50.8 (62)	49.2 (60)

In earlier study by the Nigerian Institute of Advance Legal Studies, 48.7 % of suspects reported being insulted by the police ; 35.9% reported being rough-handled or slapped and 3.0% reported being threatened by gun. Overall, 69.4 % of the respondents felt that they were unfairly treated by police. For example 57.4 % of the suspects reported being handcuffed at the time of arrest while police officers admitted that suspects rarely resist arrest.³ The Nigerian law provides that:

A person arrested shall not be handcuffed, otherwise bound or subjected to unnecessary restraints except by order of the court, a magistrate or Justice of the

¹ A.A. Adeyemi (1999) " Police and Human Rights in a Democratic Nigeria: Challenges for the Twenty-first Century", paper presented at the seminar titled Towards a More Effective Nigeria Police Force, Organised by the Nigeria Police Force for Officers of the rank of Assistant Inspector-General and Commssioners of Police, held at the International Conference Centre, Abuja, 19-20 October, pp.10-11.

² Ibid.; see also M.A. Ajomo and I.E. Okagbue (1991) Human Rights and Administration of Criminal Justice (Lagos: Nigerian Institute of Advance Legal Studies), and Ibadapo-Obe, "Police Brutality: Dimensions and Control in Nigeria", in Chukwuma Innocent and Akin Ibadapo-Obe (eds.), Law Enforcement and Human Rights in Nigeria, (Lagos: Civil Liberties Organisation).

³ Ajomo and Okagbue, Ibid, pp. 121-122

Peace or unless there is a reasonable apprehension of violence of an attempt to escape or unless the restraint is considered necessary for the safety of the person arrested.¹

The data obtained for the study shows that only 4.5 % of the respondents claimed that they ever resisted arrest by police while 5.2 % and 3.4 % reported throwing stones at police and beating/slapping police respectively, (table 4.9). The reported high incidence of police maltreatment cannot be justified based on the principles of legality, necessity and proportionality that guide police use of restraint and force on suspects. The scale of police violence reported by inmate respondents in this study is higher than those reported by respondents in the study by the Institute of Advanced Legal Studies, conducted by late 1980s. This pattern suggests escalation of police violence over the long period of military rule.

Table 4.8: Inmates observation of police behaviour

Observed or witnessed police Behaviour	yes	No.
Police abusing or insulting a citizen	89.0 (153)	11.0 (19)
Police slapping a citizen	94.4 (167)	5.6 (10)
Police Kicking a citizen	92.6 (162)	7.4 (13)
Police beating a citizen	94.3 (164)	5.7 (10)
Police injuring a citizen	90.1 (155)	9.9 (17)
Police threatening a citizen with firearms	86.5 (148)	13.5 (23)
Police shooting a suspect	74.6 (126)	25.4 (43)
Police receiving bribe	89.5 (153)	10.5 (18)
Police helping a citizen	51.8 (85)	48.2 (79)

Table 4.8 contains the responses of prison inmates to questions on their observation of several police behaviours. They reported observing a very high level of police maltreatment of citizens, in the following ways: slapping (94.4%), kicking (92.6%); beating (94.3%), injuring (90.1%), shooting a suspect (74.6%) and receiving a bribe (89.5%). These appears rather high, however, responses pertain to lifetime observation, and because these are offenders in constant contacts with the police, the reported police behaviour may not in all cases be unlawful.

Table 4.9: Inmate behaviour towards the police

Behaviour	Yes	No
Ever abused or insulted a police	8.5 (16)	89.4 (168)
Ever beaten or slapped a police	3.4 (6)	95.5 (170)
Ever obstructed a police from effecting an arrest	4.5 (8)	95.5 (171)
Ever threw stone at a police	5.2 (9)	94.8 (164)
Ever refused to assist a police	7.5 (13)	92.0 (160)
Ever resisted arrest by a police	4.5 (4)	94.3 (83)

¹ Section 4 of the Procedure Act (applicable in the Southern States), see similar provision in Section 37 of the Criminal Procedure Code (applicable in the Northern States).

The data obtained for this study and analysed in the preceding sections indicate a high level of practices that may be variously called police violence or brutality, police torture of suspects and generally abuse of authority and violation of citizens' rights by police. However, these figures of reflecting police misconduct should be interpreted with caution and in relation to the response of citizens regarding their own maltreatment of police and insubordination towards them. Literature, across the world shows that police usually deal harshly with those who defy their authority. Table 4.10 shows that 11.5% and 16.6% of the respondents from the general public sample admitted that they had, respectively obstructed police from effecting arrest and insulted a police officer.

Table 4.10: Respondents behaviour towards Nigeria police

Respondent behaviour	Yes	No
Ever slapped a police officer	3.2 (18)	96.1 (548)
Ever obstructed police from effecting arrest	11.5 (65)	88.5 (502)
Ever abused (insulted) a police officer	16.6 (98)	83.4 (492)
Ever threw stones at a police officer on duty	6.1 (33)	93.9 (508)
Ever refused to assist a police officer on duty	10.2 (58)	89.8 (509)
Ever resisted arrest by a police officer	6.4 (14)	93.6 (206)
Ever beaten a police officer	3.2 (18)	96.8 (552)

Table 4.10 indicates significant incidence of the public insulting and obstructing police in the course of their duties – and these are precipitating circumstances for police brutality to assert their authority.

Table 4.11 shows the responses of police officers concerning conditions under which they are likely to beat or shoot suspects. The data shows that majority (56.3%) of officers will beat a suspect who attempted to run, about a third (34.7%) will beat a suspect who resisted arrest and nearly a third (32.0%) will beat a suspect who assaulted (beat, slap, kick) him. These are legally permissible provided the police response is proportional, and the arrest is legal.

Table 4.11 Police response to suspects' behaviour

Conditions	Yes	No
I. Should police beat a suspect, if		
a. Abused by suspect	1.4 (2)	98.6 (145)
b. Beaten, slapped or kicked by suspect	32.0 (47)	68.0 (100)
c. A suspect insists a warrant of arrest	7.4 (11)	92.6 (137)
d. A suspect is disrespectful	8.9 (13)	91.1 (133)
e. A suspect resists arrest	34.7 (50)	65.3 (94)
f. A suspect attempts to run	56.3 (81)	43.8 (63)
g. A suspect argues with police	8.3 (12)	91.7 (133)
II Should police shoot a suspect IF		
a. A suspect insist on warrant of arrest	2.0 (3)	47.7 (71)
b. A suspect attempts to run	52.3 (78)	16.7 (25)

c. A suspect is armed with weapon	83.3 (125)	97.2 (140)
d. A suspects beats or slaps police	2.8 (4)	

The police officers' response to the question on condition under which they will shoot a suspect is also revealing. More than one-half (52.3%) of the respondents said they would shoot a suspect that attempts to run, and more than four-fifth (83.3%) would shoot a suspect that is armed with weapon. The two conditions are also legally permissible, however, subject to certain criteria of legality, proportionality and necessity.

The common law 'felony rule justifies the killing of a fleeing felon, in order to effect his arrest - that is offender suspected to have committed an offence that statutorily amount to a felony (usually punished by a two years jail term or more, under Nigeria's criminal code definition). But Lawrence Sherman argued that the rule is now an anachronism in the light of development of weaponry, communication facilities and inter-agency cooperation available to modern police to effect the arrest or prevent escape of an offender.¹ The justification for killing in all-felony cases has been discredited and abandoned in *R. v McKay* [1957] (V.R. 560, 11 Halsbury's Law of Enland, S. 1179) s. in which it was stated that:

The circumstances in which it can be considered reasonable to kill another in the prevention of crime must be of an extreme kind... only in the case of an attack against person which is likely to cause death or serious bodily injury and where killing the attacker is the only practicable means of preventing the harm. It cannot be reasonable to kill another merely to prevent a crime, which is directed only against property.

In Nigeria, extra judicial killings without justification are rampant. In 1981, peasant farmers in Bakolori, Sokoto State embarked on protest against the seizure of their farmlands by the government, for a state irrigation project, without payment of due compensation, in contravention of the nation's (1979) constitution. The police were deployed to repress the protests and at the end, more than one hundred farmers were killed. Summary execution of protesting students has become routine since 1971 when Kunle Adepeju was killed by police at the nation's premier university, - university of Ibadan; when drafted there to quell students protest against the school authority. Students have been killed at various universities at different times between 1971 and 1999.² Similarly, extra-judicial killing at various checkpoints on highways became frequent since when a Nigerian athlete Dele Udoh, resident in America was shot and killed at a checkpoint in Lagos. Beside, there is fear that some police are being hired as assassins. Wherever police extra-judicially kills a Nigeria citizen, he is declared as an armed robbery suspect. It is feared that many innocent Nigerians may have been killed and

¹ Lawrence W. Sherman (1982) "Executions without Trial: Police Homicide and the constitution" in James J. Fyfe (ed.) Readings on Police Use of Deadly Force. Police Foundation.

² See Alemika (1988) *op cit*; Alemika (1993a) *op cit*; Civil Liberties Organisation Annual Report on Human Rights in Nigeria 1988 – 97 series,

labeled armed robbery suspects in order to justify police action. Police has executed hundreds of Nigerian citizens without trial¹

Table 4.12, however, presents self-report behaviour of police officers. While police officers claimed they do not very often abuse, beat or slap citizens, more than two-fifths reported that they sometimes abuse, beat or slap members of the public.

Table 4.12: Police Self-Report behaviour towards public

Behaviour	Frequency			
	Very often	Often	Sometimes	Never
Abused citizens	0.6 (1)	2.5 (4)	40.3 (64)	56.6 (90)
Beat or slap suspects	0.0 (0)	0.6 (1)	42.9 (67)	56.4 (88)
Threaten suspects with gun	0.0 (0)	1.3 (2)	18.1 (28)	80.6 (125)

The analysis of police-citizen contacts and violence suggests that the citizens and police need to be enlightened on the rule of law, police role and powers, and human rights, in order to reduce both legally sanctioned and illegal use of force by the police.

Citizen Violence against Police

The police are often victims of violence by citizens, in different ways and for different reasons. In some cases, the police are killed or injured as a result of their intervention to stop criminal activities or apprehend offenders. They can also be targets of violence by citizens in different situations, such as strikes, and protests or riots. These instances of violence are inherent in police work characterised by danger. But there are other instances that depict public hostility towards the police as in violence associated with resistance, with reprisals or prejudice by the public. Tables 4.9 and 4.10 show that members of public also abuse and obstruct police in the course of their duties.

Table 4.10 shows that 11.5% of the respondents have ever insulted police and 11.5% obstructed police, 6.1% threw stones at the police. More than one-fifth (23.7%) of police respondents claimed that they have ever been beaten by suspects, 53.8% observed many

¹ Centre for Law Enforcement Education and National Human Rights Commission, Policing a Democracy (1999) chapter 3, civil Liberties Organisation (1991) “murder, then Howl Robber” Liberty 2 (1) pp 4-6 Alemika (1993) a op cit and Courtroom legal Newsmagazine “Police Executions” and “Executions without Trial” (April issue) pp 10-15, and Clement Nwakwo, Dulue Mbachu and Basil Ugochukwu (1993) Human Rights Practices in the Nigerian Police (Lagos: Constitutional Rights Project) pp 22-65 for details of such killing

of their colleagues beaten by suspects, and as high as 68.4% reported witnessing their fellow officers shot by suspects (table 4.13). These experiences, as literature has shown, create the impression that the public is dangerous and hostile to police.

Table: 4.13: Experience of police with suspects

Experience / witness / Observation	Yes	No
(1) Ever beaten by a suspect	23.7 (37)	76.3 (119)
(2) Colleagues observed beaten by suspects		
Very many	15.8	25
Many	38.0	60
Few	36.1	57
None	10.1	16
(3) Colleagues observed shot by suspects		
Very many	20.9	33
Many	47.5	75
Few	23.4	37
None	7.6	12

In the light of the reported experiences of being beaten, slapped and shot by suspects, it is not surprising that most police officers believe that the rates of crime and robbery in particular, are increasing. More than four-fifths of the police respondents believe that people are becoming more criminal and violent. Also, 67.5% believe that the public is becoming more hostile to the police.

Table 4. 14: Police perception of crime rates and police attitudes

Issues	%	N
1. Rate of robbery:		
• Increasing	79.5	124
• Decreasing	20.5	32
2. Incidence of crime		
• Increasing	80.4	127
• Decreasing	19.6	31
3. People are becoming		

• Less criminal	19.6	31
• More criminal	80.4	125
4. Criminals are becoming		
• Less criminal	12.7	20
• More criminal	87.3	138
5. Members of the public are becoming		
• more hostile to police	67.5	104
• less hostile to police	32.5	50

These responses confirm what have been generally referred to in the literature as police working personality, which makes the policeman:

... regards the public as enemy, feels his occupation to be in conflict with the community and regards himself to be a pariah. The experience and the feeling give rise to a collective emphasis on secrecy, an attempt to coerce respect from the public and a belief that almost any means are legitimate in completing an arrest.

The perception of the police concerning public attitudes toward them appears to be justified by the public's poor evaluation of the police in terms of their crime control effectiveness.

Table 4.15: Level of Education and perception of police effectiveness

Level of Education	Are police effective in controlling crime?		Total
	Effective	Ineffective	
None / below primary	15 42.9	20 57.1	35 100.0
Primary education	14 34.1	27 65.9	41 100.0
Secondary education	39 37.7	81 62.3	130 100.0
Post-secondary education	98 23.8	313 76.2	411 100.0

Table 4.15 shows that the respondents irrespective of levels of education rated the police rather poorly. Similarly, table 4.16 shows that majority of respondents from various occupations rated police very poorly in terms of their effectiveness in controlling crimes in the country.

Table 4.16: Occupation and perception of police crime control effectiveness

Occupation	Police effectiveness	
	Effective	Ineffective
Unemployed	38 36.5	66 63.5
Farming and petty trading	16 37.2	27 62.8
Commercial employees and park joints	21 34.4	40 65.6
Junior employees	9 21.4	33 78.6
Intermediate employees	14 28.6	35 71.4
Senior employees	29 25.0	87 75.0
businessmen	20 25.3	59 74.7
Other, including student	27 22.9	91 77.1

Police violence: reprisal killing

There are records of Nigerian police practice of reprisal killing. Such practice existed during colonial era when police and the military embark on punitive expeditions, when either their members or colonial officers were maltreated by a community. Detachments of police and army were sent to destroy or burn such communities. A notable example was the attack on Benin Kingdom in 1897.

Such practice has also been recorded in recent history. On 27th December 1988, a contingent of police went to Irri, a town in then Bendel State and killed and maimed residents, looted their property as reprisal for alleged murder of police detectives in the town. Similar reprisal killings have been executed by police in Umuechem in Rivers State on November 1, 1990.; Ovwiam in Delta state on December 6, 1993, Patani in Delta State on February 15, 1994, Odi in Bayelsa where 12 police officers were abducted and killed in December 1999, and in Oshodi, Mushin and Ipaja areas of Lagos Metropolis as

counter-terrorism to the activities of a faction of Odua Peoples Congress (OPC) in late 1999 and early 2000. Criminal violence or terrorist acts against police are indefensible but police should bring culprits to book through due process. Reprisal killings persist because such incidences are condoned by government.

Police Effectiveness and police-public relations

The poor evaluation of the police, by the public, in terms of crime control effectiveness, calls for analysis of some institutional factors that impinge on police effectiveness. Several researches have pointed out the public dissatisfaction with the conduct, integrity and effectiveness of Nigerian police.¹ This dissatisfaction is frequently expressed in the form of hostility towards the police. Consequently, police-community mistrust and violence ensue. However, police ineffectiveness is partly due to inadequate social (especially transportation and telecommunication) infrastructure in society and within the police as well as poor funding of police, inadequate facilities for police work, poor resource management, bad leadership, poor information management, poor attitude and orientation, within the Nigeria Police Force.² In essence, the ineffectiveness of Nigeria Police Force is due to factors within and beyond the force. A few of the factors are:

1. Political and Economic Environment:

The political and economic environment in Nigeria alienates citizens from the government and creates hostility (rather than cooperation) towards government agencies, especially the police, which is the most visible expression of state power. According to a police respondents in an in-depth interview:

People regard police as enemies ... If there is a robbery operation going on somewhere, for instance, the public will applaud perpetrators instead of helping police to apprehend them.

Proactive and preventive measures adopted by the police are resisted by citizens, due to their uncooperative disposition towards law enforcement and as a result of uncivil attitude and poor information management by police. These affect police effectiveness.

2. Authoritarian government and repressive laws. The police in Nigeria, due to absence of democratic government and dominance of oppressive government, are required to enforce unpopular and repressive laws. This distracts them from enforcing the laws

¹ W.A. Westley (1958) Violence and Public, American Journal of Sociology, p35.

² F. Odekunle (1979) "The Nigerian Police Force: A preliminary Assessment of Functional Performance", International Journal of Sociology of Law (7) 61-83; C.O. Okonkwo (1966) The Police and the Public in Nigeria; (London: Sweet and Maxwell); T.N. Tamuno, (1970), The Police in Modern Nigeria (Ibadan: Ibadan University Press); Etannibi E.O. Alemika (1997), "Police and Crime Control in Nigeria", Nigerian Journal of Policy and Strategy 12(1&2): 71-98; O.Kayode (1976), Public Expectations and Police Role Concepts in Nigeria", Police Chief (May) 56-59 and E.E.O Alemika (1995) "The Nigerian Police: Functions, Powers and Performance" Lawyers Bi-annual 2(1); 150-172, also published with minor revisions in the Nigerian Journal of Public Law (1997), vol. 1, pp. 120- 141.

that benefit and protect the vast majority of the citizens and thereby deny police of public support required for effective performance.

3. Inadequate and obsolete facilities. The Nigeria Police Force is deficit in men (and women), materials and money. As regards human resources, the Force lacks adequate and well-qualified personnel for its duties. The facilities available to police, ranging from transportation, telecommunication, office and residential accommodation, ammunition, stationery, furniture to uniform are inadequate or unserviceable or obsolete. These hinder police effectiveness.
4. Recruitment, training, promotion, discipline and remuneration of officers affect their orientation, attitude and performance. The Nigeria Police Force, does not currently employ scientific and sound management principles to these areas. Consequently, the force is saturated with poorly screened, tested, trained and remunerated officers, who lack motivation in police work.¹

In analyzing police effectiveness, therefore, these and other constraints must be given due recognition.

Summary

This chapter considers the scope of police-citizen contacts in Nigeria, and how such contacts engender violence between police and citizens in Nigeria. The analysis shows that there is an extensive contact between the police and citizens in the country. But the contacts occur predominantly within the context of law enforcement, characterized by mutual hostility and prejudice, as well as police corruption and incivility, and public disrespect and resent police authority. These constitute sources of police-community violence in Nigeria.

However, the nature, scope and context of police-citizen contact and violence have deeper structural determinants. The country's authoritarian governments since colonial rule enact repressive laws for the police to enforce, thereby alienate them from the citizens. The inability of the government to develop and properly manage the economy for the benefit of the citizens created widespread poverty, and the gap between the rich and the poor progressively widens. These generate propensity to crime. Those in power continue to "loot the treasury" and the poor resort to diverse forms of theft and burglary, and violent reactions against government economic policies, such as the structural adjustment programme of the General Ibrahim Babangida regime and the privatisation and commercialisation of public enterprises by successive government since the middle of 1980s. The impoverished citizens see these as transfer of public or common-wealth

¹ See E.E.O. Alemika (1997), *ibid*, Kayode (1976) *ibid*, B.O Osoba (1994) "Relevance of Logistics in the Enforcement of Law and Order" Paper Presented at the Joint workshop of the National Orientation Agency and the Nigerian Police Force on Police and Social Justice at the Police Staff College, Jos, on 1st December, and A.J. Ojomo and E.E.O Alemika (1993) "Information Management and Policing in Nigeria" in T.N. Tamuno, I.L. Bashir, E.E.O Alemika and A.O Akano (eds.) Policing Nigeria (Lagos: Nigeria Police Force and Malthouse Press Ltd.)

into private hands, and actions, which are capable of aggravating their misery and widening socio-economic inequalities in the country. Thus, police-citizen violence is caused by structural and institutional factors. The Nigeria Police force is under-staffed, under-funded, under-equipped and under-remunerated. Nigerian police, therefore, fails to exhibit the proper conduct and level of performance expected of them by citizens. Public estimation of, respect for and cooperation with police are undermined. Relationships between the Nigeria police and citizens are largely characterized by suspicion, prejudice, mutual disrespect, conflict and violence.

CHAPTER FIVE

CONCLUSION AND RECOMMENDATION

This study examines the structural and institutional sources of violence between the police and citizens in Nigeria. At the structural level, the authoritarian political structure and the exploitative economic system based on rent, and characterised by large scale corruption created a wide gulf between the citizens and rulers. Citizens are alienated from government and its agencies, and therefore, governance is maintained by repression. The enforcement of unpopular and repressive laws by incivil and corrupt police engender police-citizen conflicts. Similarly, several economic policies of government aggravate misery in society. The police is used to suppress opposition of citizens to such policies. For example, popular reactions to and demonstration against structural adjustment programme from 1986 to 1990, led to the killing of several citizens by police.¹ Similarly, in May 1989, students and unemployed people youths in several Nigerian cities embarked on demonstration against alleged information that the then military president, General Ibrahim Babangida was looting the national treasury and lodging huge sums of money in foreign banks. Government deployed soldiers and police to quell the riots. In Lagos alone, more than fifty people were reportedly killed by the soldiers and police, and many were killed in their apartments by the invading and looting force. These illustrate the point that the root causes of police violence in Nigeria are structures of political repression and economic exploitation, and the determination to sustain the system by the political and economic power-holders against the struggle of the oppressed and exploited vast majority of citizens to overthrow or reform or revolutionise the system.

Police-citizens violence is also attributable to institutional factors, to a large extent determined by the structural factors outlined above. The scope of contact between the police and citizens in the country is limited to law enforcement situations, which are often restrictive and resented by the citizens. Thus, mutual hostility and sometimes violent confrontation result from such contacts. Nigeria police are required to enforce unpopular and repressive laws. They are inevitably brought into conflict and violent encounters with the citizens. Even when their actions is not backed by law, the existence of a repressive regime Forsters police impunity. Due to a combination of repressive laws and culture of impunity, grossly inadequate manpower, materials and money, the police are either insensitive to the plight of citizens or resort to vigilantism in dealing with suspects or communities.

Police vigilantism, according to Bowden:

can occur either where the police perceive an absence of effective law or where a regime encourages such action, or chooses to ignore it, in order to maintain the status quo, preserve an autocratic regime or rapidly cauterize an internal political

¹ See E.E.O Alemika (1993), "Colonialism, State and Policing in Nigeria", Crime. Law and Social Change, 20: 187-219.

crisis ... The end product is ... a rough, crude and effective justice which knows little clemency or moderation. While police vigilantism can take many forms and occur in a variety of circumstances, it is most often associated with crisis politics and the wish to preserve the existing order of things at any price.¹

There is a relationship between autocratic or despotic rule and police vigilantism, the sort of policing witnessed in Nigeria. It "seeks to preserve existing property relations, uphold conservative political, economic, social and moral values, administer retributive justice and preserve "laws and order."² Thus militarized policing and police vigilantism in the nation symbolized a trend that has been implanted in the social structure to make it insular to change towards democracy, economic development and equity and educational and technological advancement.³

Police-community violence is facilitated in the country by the frustration of citizens and police arising from inadequate transportation and telecommunication facilities that militate against effective and timely communication by distressed citizens with police and prompt response of the latter to citizen's call for assistance. This inadequacy portrays the police as ineffective and the citizen as unreasonable, thereby hardening mutual prejudice and hostility between the police and citizens, which under certain conditions erupt into violence. Majority of the citizens lack adequate knowledge of the role and powers of police. Therefore any action of the police, even within law and which should elicit cooperation, is resented. In such situation, the police may enforce the law, using measures that would normally have been unnecessary.

Individual police attributes also impact on police violence. Nigerian policemen and women are inadequately screened and tested before recruitment, poorly trained- before, during and throughout their career. These inadequacies, coupled with poor supervision and leadership, weak disciplinary control, poor remuneration and working environment, produce orientation and attitudes that are inappropriate to policing in a civilized and democratic society. In the light of the analysis of police-community violence and the findings of this study, as well as insight derived from the literature, the following recommendations are put forward as framework for the restructuring and reform of Nigeria Police Force in order to make it more effective, efficient, civil, accountable and citizen-friendly.

RECOMMENDATION

¹ T. Bowden (1978), Beyond the Limits of the Law (Hammondsworth: Penguin Books) p.35

² Ibid. P.97

³ E.E.O Alemika (1999) "Police-Community Relations in Nigeria: What Went Wrong?" Paper Presented at the Seminar on Role and Function of the Police in a Post Military Era organized by the Centre for law Enforcement Education (CLEEN) and the National Human Rights Commission (NHRC), at Abuja, March 8-10.

Concretely, the following measures should be introduced and sustained:

A. Structural Reforms

The country must restructure its political and economic structure towards democratising the polity, and promoting economic efficiency and competitiveness with due consideration for and guarantee of social equity and welfare, especially in the provision of health, education and housing for the needy.

1. Democratization of Nigerian polity and economy should be accelerated. This is the only way to have an effective, efficient, civil and polite, accountable, well equipped and adequately remunerated and motivated police in the country.
2. The economy should be restructured to provide the basic needs of citizens on local/national self-reliance basis. The development of effective services like education, health, transportation, telecommunication, and energy (electricity) should receive priority attention in national development policies and the services should be made available to citizens at affordable costs.
3. Corruption, which is an important motivation for political repression and a major cause of economic and social backwardness in the country should be tackled through effective legal provisions that are fairly and promptly enforced. This will reduce the high level of corruption in the top hierarchy of government and private institutions. The existence of corruption at these levels encourage corruption at other levels, especially by law enforcement agents. Effective anti-corruption programme in the country will also promote effective and efficient allocation and management of resources for national development and provision of social services.

B. Institutional Reforms

The following conditions within the police force should be given due attention with a view to reducing the institutional sources of police-community violence.

1. The scope of contacts between the police and citizens should be enlarged to include social services delivery by police in order to create favourable environment for public cooperation with police, in their law enforcement duties.
2. Members of the public should be educated on the role and powers of police, and the significance of public cooperation with police in order to promote an overall individual, community and national security.
3. Policemen and women should be thoroughly screened and tested during their initial training to ensure that they possess good character, and are emotionally stable before they are finally enlisted.

4. The government should provide opportunities for training in academic and professional disciplines by police officials. Many officers, on their own embarked on self-sponsored education at post-secondary levels, and instead of being rewarded, they are indirectly punished, for example by failing to promptly retraining and upgrade them in accordance with their qualifications. Officers who engage in self-education or self-sponsorship in order to acquire higher educational and professional qualifications should be regraded to appropriate rank within twelve months.
5. Workshops, seminars, lectures for the reorientation of police officers should be organised at state and divisional command levels, to enable them acquire proper orientation for policing a free and democratic society. The curriculum of police colleges should be enlarged to adequately deal with human rights education, international codes and ethics for law enforcement officers, etc.
6. In order to enhance the effectiveness of the police, the Nigeria Police Force should be well funded and equipped. This will boost the morale of the officers, enhance their performance, and promote positive evaluation of police by citizens.
7. The Nigeria police force should change its law enforcement practices and style that emphasis reactive policing. Instead, proactive preventive policing strategies such as beat (foot). patrol, problem-oriented policing, involving police-community partnership should be emphasised.
8. Refresher courses should be provided for all levels of the police with a view to sharpening the professional skill of officers and to enable them understand the changes and dynamics in the country's political, social and economic spheres. The courses should also aim at ensuring that police are properly oriented to promote good relationships with the public, and protect human rights and rule of law in the country.
9. Nigeria police should pay attention to effective information management – collation, analysis, publication, storage and dissemination of relevant criminal, social and economic information. At present the quality of criminal and law enforcement statistics generated and produced by the police is grossly unsatisfactory in terms of scope or coverage and accuracy of data, level of analysis, format of presentation and publication. Worse still, the Nigerian police are reluctant to collaborate with technically qualified criminologists to design appropriate and reliable criminal and law enforcement information management system. The police are also reluctant to disseminate criminal and law enforcement statistics to researchers mass media practitioners, civil society organisations and citizens in general. This practice denies the police of public understanding of their responsibilities and constraints. The police authority should establish a panel comprising of police and civilian specialists to design appropriate criminal and law enforcement information management system for the country.
10. There is need for an explicit guidelines that conform to international conventions and principles on Law Enforcement, to guide the behavior of police officers and their

relationships with the public. The present force order governing the use of firearms requires changes to make conditions for the use of firearms more restrictive. In addition, police should procure more non-lethal but effective weapons, such as water canons, rubber bullet, etc. for crime and crowd control. The use of baton rather than personal arms should be reintroduced as routine tools of law enforcement for the beat officer.

11. The police authority should enhance the quality and quantity of telecommunication facilities available to officers. Telephone and radio communication facilities should be installed in all police stations and barracks. In addition, every active police men an women should be provided with an effective and reliable walkie-talkie for communication with police stations and patrol vehicles within his divisional command to ensure better police response to crime and needs of victims.

C. **Legislative Initiative**

Several legislative initiatives are needed to promote police effectiveness, civility and accountability, and reduce police violence and brutality. Some of such initiatives are presented below:

1. The Police Act, including Police Regulations should be reviewed to bring it conformity with international conventions and principles, and the Nation's constitutional provisions on human rights, law enforcement, criminal justice administration and treatment of offenders.
2. The National Assembly should enact a law to create Police Boards at the Village, Divisional, State and National levels. The composition should include elected representatives of community based organisations, workers, students, professional associations (especially medical, legal, academic), trade associations (especially commercial vehicle drivers) religious and community leaders, retired police officers and a serving police officer within the command. The Board should have a civilian chairman. The functions of the Board should include:
 - A To promote effective police services
 - B To promote respect for human rights and rule of law by police
 - C To promote police accountability to the citizens
 - D. To promote and mobilise public support for the police.
 - E. To organise public enlightenment programmes for police and citizens on police powers and functions and citizens' concerns for public security personal safety and human rights.
 - F. To promote measures to reduce conflicts and violence between police and citizens.
 - G. To identify and promote measure to reduce crime and insecurity in society and to assist police efforts towards crime prevention and control, and law enforcement in communities.

- H. To promote partnership, communication, and cooperation between the community and police in problem identification and problem – solving.
- I. To receive, investigate and make recommendations on complaints against police men and women, and police departments. The report shall be transmitted:
 - i from community (village / town) Police Board to divisional Police Board.
 - ii from Divisional Police Board to State Police Board, and
 - iii from state Police Board to National Police Board.

The Police Boards should operate as an independent organisation. It shall, however, be an a department of the office of the Minister of Police Affairs, who shall establish a state liaison office to coordinate the activities of the Board within each State of the Federation.

3. The National Assembly should enact a law for the establishment of legal Assistance fund, into which an annual subvention shall be made by the Federal government. Victims of police and executive oppression should be able to draw on the fund for civil litigation.

E. Civil Society Initiatives

The civil society organisations need to create programmes, activities and measures that will enhance partnership and cooperation between the public and police. Additionally, the organisations should empower citizens to ensure police accountability and effective police services. The civil society institutions can promote these through the mobilisation of the public in support of police legitimate efforts as well as the mobilisation of citizens against abuse of authority/power, brutality and violence, insensitivity incivility and ineffectiveness by police. Civil society institutions should maintain a strong monitoring, research, training and advocacy capacity on police work in the country.

Conclusion

The desirability of decentralizing Nigeria Police has been debated, some people want each state to establish its own Police Force. But only 29.6% (186) of the respondents from the public supported the establishment of state police forces, while 18.9% supported the establishment of local government police forces. The respondents argued that there will be too many police forces that would be used for repression and fraudulent electoral practices if state and local governments establish their police forces. The need for decentralisation will involve two elements- accountability and police strategies. The police will be more accountable to the public, if the police emphasises community and problem-orientated policing strategies and if more power is devolved to local, divisional and state commanders to adopt with their communities appropriate strategies for securing

personal safety, public security and social order. Such strategies must not erode the rule of law or violate the fundamental rights of the citizens, group and communities, and especially minorities.

The problem of police corruption, incivility insensitivity, brutality and violence in the country deserve serious attention. In particular, police execution and extra-judicial killings of suspects, and innocent citizens should be discouraged by promptly, fairly and firmly disciplining erring officers. The problem of police execution is serious. For example, the Punch newspaper of November 9, 1989 quoted a police bulletin released in Maiduguri, reporting the killing of 69 robbery suspects in Borno State within four months (May-August 1989). Such incidences are widely reported in the country's mass media and corpses of suspects summarily executed by police are frequently shown on the nation's television stations, sadly as evidence of police successful efforts against crime and criminals. These police practices are incompatible with democracy, human rights and rule of law, and must be stopped through legislative, judicial and organisational measures.

Another problem deserving serious attention is police-public hostility in Nigeria. Respondents in this study attribute the problem to improper orientation on the part of the police and, recommended the enlightenment and re-orientation of the police. A respondent observed that:

The police have failed the public as seen in many instances. One often hears the police describe themselves as friends of the people but several times they betray the confidence reposed in them by revealing secret information on the activities of criminals in society.... Most of the times they carry out arrests and detention based on personal relationships and sentiments. Bail for instance is supposed to be free but people are made to pay to bail their relations. What happens now in that policemen handpick individuals and lock them up... Another problem between the police and the public is the issue of bribery... Extortion has become a way of life for policemen and the excuse is that their pay is poor.

The hostile relations between the police and the public are precipitated by police inefficiency, insensitivity, brutality and violence, corruption, and grossly inadequate facilities. Members of the public appreciate some of the constraints on police that militate against their efficiency and precipitate police corruption and brutality. A respondent noted that: "The police use very unreasonable force in their dealing with members of the public. Suspects are handled as if they are convicts. A suspect should not be beaten but the police normally beat suspects."

Members of the public are sympathetic to the plight of the Nigerian police. Many respondents to our in-depth interview acknowledge that Nigeria police are poorly trained, under-remunerated; ill equipped and poorly motivated. According to a respondent:

The police in Nigeria are handicapped... They are ill equipped, the salary is poor, and they are poorly trained... It is so bad that contacting the police is almost an impossible task. When they are finally contacted, it is either that they do not have

a vehicle or there is no driver to drive it or that there is no fuel... The policemen should be properly equipped to combat the rising crime wave. The policemen are still using the old obsolete rifle while the armed robbers use powerful automatic sub-machine guns. The police cannot succeed without cordial relationship with the public, but their relations with the public is hostile and oppressive.

The problems with Nigeria police deserve structural and institutional reforms, legislative initiatives as well as monitoring, research, and training and advocacy and mobilisation activities by civil society, in order to introduce and implement necessary changes within the police system and in the relationship and partnership between the citizens and the police. These are necessary if Nigeria is to have effective, civil, incorruptible and accountable police.

APPENDICE I

CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS

Adopted by the General Assembly of the United Nations, resolution 34/169 of 17 December 1979.

Article 1

Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

Article 2

In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

Article 3

Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Article 4

Matters of a confidential nature in the possession of law enforcement officials shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise.

Article 5

No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

Article 6

Law enforcement officials shall ensure the full protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required.

Article 7

Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts.

Article 8

Law enforcement officials shall respect the law and the present Code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them. Law enforcement officials who have reason to believe that a violation of the present Code has occurred or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial power.

APPENDICE II

BASIC PRINCIPLES ON THE USE OF FORCE AND FIREARMS BY LAW ENFORCEMENT OFFICIALS.

General Provisions

1. Governments and law enforcement agencies shall adopt and implement rules and regulations on the use of force and firearms against person by law enforcement officials. In developing such rules and regulations, Governments and law enforcement agencies shall keep the ethical issues associated with the use of force and firearms constantly under review.
2. Governments and law enforcement agencies should develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms. These should include the development of non-lethal incapacitating weapons for use in appropriate situations, with a view to increasingly restraining the application of means capable of causing death or injury to persons. For the same purpose, it should also be possible for law enforcement officials to be equipped with self-defensive equipment such as shields, helmets, bulletproof vests and bulletproof means of transportation, in order to decrease the need to use weapons of any kind.
3. The development and deployment of non-lethal incapacitating weapons should be carefully evaluated in order to minimise the risk of endangering uninvolved person, and the use of such should be carefully controlled.
4. Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result.
5. Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall:
 - a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
 - b) Minimise damage and injury, and respect and preserve human life;
 - c) Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment;

- d) Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment.
- 6. Where injury or death is caused by the use of force and firearms by law enforcement officials, they shall report the incident promptly to their superiors, in accordance with principle 22.
- 7. Governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law.
- 8. Exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles.

Special provisions

- 9. Law enforcement officials shall not use firearms against persons except in self defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.
- 10. In the circumstances provided for under principle 9, law enforcement officials shall identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed, unless to do so would unduly place the law enforcement officials at risk or would create a risk of death or serious harm to other persons, or would be clearly inappropriate or pointless in the circumstance of the incident.
- 11. Rules and regulations on the use of firearms by law enforcement officials should include guidelines that:
 - a) Specify the circumstances under which law enforcement officials are authorised to carry firearms and prescribe the types of firearms and ammunition permitted;
 - b) Ensure that firearms are used only in appropriate circumstances and in a matter likely to decrease the risk of unnecessary harm;
 - c) Prohibit the use of those firearms and ammunition that cause unwarranted injury or present an unwarranted risk;
 - d) Regulate the control, storage and issuing of firearms, including procedures for ensuring that law enforcement officials are accountable for the firearms and ammunition issued to them;

- e) Provide for warnings to be given, if appropriate, when firearms are to be discharged;
- f) Provide for a system of reporting whenever law enforcement officials use firearms in the performance of their duty.

Policing Unlawful Assemblies

- 12. As everyone is allowed to participate in lawful and peaceful assemblies in accordance with the principles embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, Governments and law enforcement agencies and officials shall recognise that force and firearms may be used only in accordance with principles 13 and 14.
- 13. In the dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary.
- 14. In the dispersal of violent assemblies, law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary. Law enforcement officials shall not use firearms in such cases, except under the conditions stipulated in principle 9.

Policing Persons in Custody or Detention

- 15. Law enforcement officials, in their relations with persons in custody or detention, shall not use force, except when strictly necessary for the maintenance of security and order within the institution, or when personal safety is threatened.
- 16. Law enforcement officials, in their relations with persons in custody or detention, shall not use firearms, except in self-defence or in the defence of others against the immediate threat of death or serious injury, or when strictly necessary to prevent the escape of a person in custody or detention, presenting the danger referred to in principles 9.
- 17. The preceding principles are without prejudice to the rights, duties and responsibilities of prison officials, as set out in the Standard Minimum Rules for the Treatment of Prisoners, particularly rules 33, 34 and 54

Qualifications, Training and Counseling

18. Governments and law enforcement agencies shall ensure that all law enforcement officials are selected by proper screening procedures, have appropriate moral, psychological and physical qualities for the effective exercise of their functions and receive continuous and thorough professional training. Their continued fitness to perform these functions should be subject to periodic review.
19. Governments and law enforcement agencies shall ensure that all law enforcement officials are provided with training and are tested in accordance with appropriate proficiency standards in the use of force. Those law enforcement officials who are required to carry firearms should be authorised to do so only upon completion of special training in their use.
20. In the training of law enforcement officials, Governments and law enforcement agencies shall give special attention to issues of police ethics and human rights, especially in the investigative process, to alternatives to the use of force and firearms, including the peaceful settlement of conflicts, the understanding of crowd behaviour, and the methods of persuasion, negotiation and mediation, as well as to technical means, with a view to limiting the use of force and firearms. Law enforcement agencies should review their training programmes and operational procedures in the light of particular incidents.
21. Governments and law enforcement agencies shall make stress counselling available to law enforcement officials who are involved in situations where force and firearms are used.

Reporting and Review Procedures

22. Governments and law enforcement agencies shall establish effective reporting and review procedures for all incidents referred to in principles 6 and 11 (f). For incidents reported pursuant to these principles, Governments and law enforcement agencies shall ensure that an effective review process is available and that independent administrative or prosecutorial authorities are in a position to exercise jurisdiction in appropriate circumstances. In cases of death and serious injury or other grave consequences, a detailed report shall be sent promptly to the competent authorities responsible for administrative review and judicial control.
23. Persons affected by the use of force and firearms or their legal representatives shall have access to an independent process, including a judicial process. In the event of the death of such persons, this provision shall apply to their dependants accordingly.
24. Governments and law enforcement agencies shall ensure that superior officers are held responsible if they know, or should have known, that law enforcement officials under their command are resorting, or have resorted, to the unlawful use of force and firearms, and they did not take all measures in their power to prevent, suppress or report such use.

25. Governments and law enforcement agencies shall ensure that no criminal or disciplinary sanction is imposed on law enforcement officials who, in compliance with the Code of Conduct for Law Enforcement Officials and these basic principles, refuse to carry out an order to use force and firearms, or who report such use by other officials.
26. Obedience to superior orders shall be no defence if law enforcement officials knew that an order to use force and firearms resulting in the death or serious injury of a person was manifestly unlawful and has a reasonable opportunity to refuse to follow it. In any case, responsibility also rests on the superiors who gave the unlawful orders.

APPENDICE III

QUESTIONNAIRE (for the public)

INTRODUCTION

The Centre for Law Enforcement Education in Nigeria in collaboration with the National Human Rights Commission is conducting a national survey on the Root Causes of Police-Community Violence in Nigeria. You are requested to please assist by providing honest answers to the following questions. Whatever answer you give will not be released to any individual or authority. The final report will not contain information about any individual respondents. Please tick the responses that best apply to you. Thank you for your co-operation

SECTION A

1. Age

- 1) 15 – 24 years
- 2) 25 – 34 years
- 3) 35 – 49 years
- 4) 50 years and older

2. Sex

- 1) Male
- 2) Female

3. Highest level of Education

- 1) None
- 2) Non – formal religious literacy class or adult education
- 3) primary school
- 4) secondary / technical / teacher’s college
- 5) post-secondary (Polytechnic, college of Education, University)

4. Occupation

- 1) Unemployed
- 2) Farming, petty trading, self-employed or artisan
- 3) Driver, motor park assistants, drivers' union officials, etc.
- 4) Junior staff of government agencies and companies
- 5) Intermediate staff of government agencies and companies
- 6) Senior staff of government agencies and companies
- 7) Businessmen and self employed professionals
- 8) Other (specify).....

5. What is your average monthly income?

- 1) Less than N1,000 per month

- 2) N1,000 – N2,999
- 3) N3,000 – N4,999
- 4) N5,000 – 9,999
- 5) N10,000 – N14,999
- 6) N15,000 – N24,999
- 7) N25,000 - N49,999
- 8) N50,000 and higher

6. How long have you lived in town

- 1) Less than 2 years
- 2) 2 – 5 years
- 3) 6 – 10 years
- 4) 11- 19 years
- 5) 20 years and more

SECTION B

7. Have you ever lived with a police in the same compound?

- 1) Yes 2) No

8. If yes for how long

- 1) Less than 2 years
- 2) 2 –5 years
- 3) 5 years and more

9. Have you ever been stopped and searched by the police?

- 1) Yes 2) No

10. If yes to question 9, where did it happen?

- 1) In a vehicle on a journey
- 2) In a vehicle within the town
- 3) On a street
- 4) Within your compound
- 5) At work or school
- 6) Other places (specify).....

11. If yes to question 9, what time of day did it happen?

- 1) Day time
- 2) Evening
- 3) Night

12. Have you ever been arrested by police in Nigeria?

- 1) Yes 2) No

13. If Yes, how many times?

- 1) Once
- 2) Twice
- 3) Three and more

14. For what offence were you detained

- 1) Traffic
- 2) Offences relating to loss or theft of property or money
- 3) Offences relating to fighting, injuring someone
- 4) Demonstration or protests, strike
- 5) Other (specify).....

15. Have you ever been detained in cell by police in Nigeria

- 1) Yes
- 2) No

16. If Yes, for how long?

- 1) Less than 1 day
- 2) 1 – 3 days
- 3) 4 – 7 days
- 4) 1 – 4 weeks
- 5) 1 – 3 months
- 6) 3 – 12 months
- 7) 1 year and longer

17. Have you ever personally been subjected to the following actions in Nigeria?

- | | | |
|-----------------------------------|--------|-------|
| 1) Abused by police | 1) Yes | 2) No |
| 2) Slapped by Police | 1) Yes | 2) No |
| 3) Kicked by Police | 1) Yes | 2) No |
| 4) Beaten by Police | 1) Yes | 2) No |
| 5) Injured by Police | 1) Yes | 2) No |
| 6) Police pointed gun at you | 1) Yes | 2) No |
| 7) Police Threatened to shoot you | 1) Yes | 2) No |

18. Have you ever witnessed any of the following action by the police in Nigeria?

- | | | |
|---------------------------------------|--------|-------|
| 1) Police abusing a person | 1) Yes | 2) No |
| 2) Police slapping a person | 1) Yes | 2) No |
| 3) Police kicking a person | 1) Yes | 2) No |
| 4) Police beating a person | 1) Yes | 2) No |
| 5) Police injuring a person | 1) Yes | 2) No |
| 6) Police pointing a gun at a person | 1) Yes | 2) No |
| 7) Police shooting a person | 1) Yes | 2) No |
| 8) Police helping a person | 1) Yes | 2) No |
| 9) Police receiving bribe from people | 1) Yes | 2) No |

19. Do you agree that the police in Nigeria abuse, beat and kick members of the public only when provoked or challenged by members of the public?

- 1) Yes
- 2) No

20. How much do you think the police in Nigeria respect members of the police?

- 1) Very much
- 2) Much
- 3) Little
- 4) Very little

21. Have you ever:-

- 1) Abused a police officer? 1) Yes 2) No
- 2) Beat or slapped a police officer? 1) Yes 2) No
- 3) Obstruct police from arresting someone? 1) Yes 2) No
- 4) Threw stones at police officer? 1) Yes 2) No
- 5) Refuse to assist a police officer on duty? 1) Yes 2) No
- 5) Resist arrest by police?

21. Which of the following is the most important reason why police in Nigeria beat, injure or kill members of the public.

- 1) The government supports the police for engaging in the act
- 2) The government orders the police to engage in the act
- 3) There are too many criminals in the country
- 4) The people are afraid of police
- 5) The police are not respected by the police
- 6) The police are frustrated
- 7) The police are corrupt
- 8) Other (specify).....

23. What is your suggestion for improving the relationship between the police and the public?

.....
.....
.....

24. How effective are the Nigeria police in controlling crimes?

- 1) Very effective
- 2) Effective
- 3) Ineffective
- 4) Very ineffective

25. Do you support the idea that State Governments should establish their own police force?

- 1) Yes
- 2) No

26. Do you support the idea that Local Governments should establish their own police force?

- 1) Yes
- 2) No

27. If yes to questions 24 and 25, which of the following is the most important reason for your answer?

- 1) Will reduce crime
- 2) Will make police respect members of the public
- 3) Will make police men and women more comfortable
- 4) Will reduce police corruption and brutality
- 5) Other (specify).....

28. If no to question 24 and 25, which of the following is the most important reason for your answer?

- 1) Too many police forces will lead to confusion and conflict.
- 2) It will not reduce crime
- 3) It will be used by politicians in power at state and local levels to oppress opponents
- 4) State and Local Governments do not have enough money to properly run police force.
- 5) It will make police more corrupt and violent
- 6) They will be used to rig elections
- 7) Other (specify).....

QUESTIONNAIRE (for the Police)

INTRODUCTION

The Centre for Law Enforcement Education in Nigeria in collaboration with the National Human Rights Commission is conducting a survey on the Root Causes of Police Community Violence in Nigeria. You are requested to please assist by providing honest answers to the following questions. Whatever answer you give will not be released to any individual or authority. The final report will not contain information about any individual respondents. Please tick the responses that best apply to you. Thank you for your co-operation

SECTION A

8. Age

- 5) 15 – 24 years
- 6) 25 – 34 years
- 7) 35 – 49 years
- 8) 50 years and older

9. Sex

- 3) Male
- 4) Female

10. Highest level of Education

- 6) None
- 7) Non – formal religious literacy class or adult education
- 8) primary school
- 9) secondary / technical / teacher’s college
- 10) post-secondary (Polytechnic, college of Education, University)

11. Rank

- 9) Constable
- 10) Corporal / sergeant
- 11) Inspector
- 12) ASP/DSP
- 13) Assistance Commissioner and

12. Length of service in Police

- 9) Less than 2 years
- 10) 2 – 5 years
- 11) 6 – 10 years
- 12) 11 – 20 years
- 13) 20 years and more

13. **How many years have you spent in the following sections of the police force**
- 1) General duty.....years
 - 2) Intelligence and investigation.....years
 - 3) Protection.....years
 - 4) Mobile police.....years
 - 5) Highway (Patrol/Road Block).....years
 - 6) General administration.....years
 - 7) Training (as a staff).....years
 - 8) Training colleges (as a student / participant).....years
14. **How many years have you spent in service in the town?**
- 1) Town.....years
 - 2) Village/rural areas.....years
15. **Do you think that the rate of robbery has been increasing or decreasing in recent years?**
- 1) Increasing
 - 2) Decreasing
16. **Do you think that crime has been increasing or decreasing in recent years?**
- 1) Increasing
 - 2) Decreasing
17. **Do you think that people are becoming more or less criminal in recent years?**
- 1) Less criminal
 - 2) More criminal
18. **Do you think that criminals are becoming less or more violent?**
- 1) Less violent
 - 2) More violent
22. **Are members of the public becoming more or less hostile to the police?**
- 1) More hostile to the police
 - 2) Less hostile to the police
23. **How often have you experienced the following from the public**
- 4) Abuse or insult
 - 1) Very often
 - 2) Often
 - 3) Sometime
 - 4) Never
 - 5) Physical attack / violence
 - 1) Very often
 - 2) Often
 - 3) Sometime
 - 4) Never
24. **How often have you experienced the following from suspects?**
- 1) Abuse or insult
 - 1) Very often
 - 2) Often
 - 3) Sometime
 - 4) Never
 - 2) Gun or firearm attack
 - 1) Very often
 - 2) Often
 - 3) Sometime
 - 4) Never
25. **Have frequently do you abuse members of the public while on duty?**
- 1) Very frequently
 - 2) Frequently
 - 3) Rarely
 - 4) Never

26. How many of your colleagues have ever been shot by suspects?

- 5) Very many
- 6) Many
- 7) Few
- 8) None

27. What measures do you suggest for reducing violence against suspects and members of the public by the police?

.....
.....
.....

28. What measures do you suggest for reducing violence against police by members of the public.

.....
.....

29. How serious is the problem of violence between police and the public in the country?

- 1) Very serious
- 2) Serious
- 3) Not serious

30 Which of the following do you consider to be the most serious problem confronting Nigeria police

- 1) The government does not allow police to perform well
- 2) The police authorities do not provide good leadership
- 3) Lack of fund
- 4) Inadequate equipment and facilities
- 5) Poor condition of service
- 6) Lack of sophisticated guns/weapons
- 7) Lack of public respect and co-operation
- 8) Police corruption and brutality

30. Suggest on important measure for promoting police performance in the country

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QUESTIONNAIRE (Prison Inmates)

INTRODUCTION

The Centre for Law Enforcement Education in Nigeria in collaboration with the National Human Rights Commission is conducting a national on the Root Causes of Police-community Violence in Nigeria. You are requested to please assist by providing honest answers to the following questions. Whatever answer you give will not be released to any individual or authority. The final report will not contain information about any individual respondents. Please tick the responses that best apply to you. Thank you for your co-operation

SECTION A

19. Age

- 9) 15 – 24 years
- 10) 25 – 34 years
- 11) 35 – 49 years
- 12) 50 years and older

20. Sex

- 5) Male
- 6) Female

21. Highest level of Education

- 11) None
- 12) Non – formal religious literacy class or adult education
- 13) primary school
- 14) secondary / technical / teacher’s college
- 15) post-secondary (Polytechnic, college of Education, University)

22. Occupation

- 14) Unemployed
- 15) Farming, petty trading, self-employed or artisan
- 16) Driver, motor park assistants, driver union officials, etc.
- 17) Junior staff of government agencies and companies
- 18) Intermediate staff of government agencies and companies
- 19) Senior staff of government agencies and companies
- 20) Businessmen and self employed professionals
- 21) Other (specify).....

23. What was your average monthly income?

- 14) Less than N1,000 per month
- 15) N1,000 – N2,999
- 16) N3,000 – N4999

- 17) N5,000 – 9,999
- 18) N10,000 – N14,999
- 19) N15,000 – N24,999
- 20) N25,000 - N49,999
- 21) N50,000 and higher

24. How long have you lived in towns

- 7) Less than 2 years
- 8) 2 – 5 years
- 9) 6 – 10 years
- 10) 11- 19 years
- 11) 20 years and more

SECTION B

25. For what offence are you currently detained

- 2) Property – theft, robbery, embezzlement, drugs etc.,
- 3) Violence – assault, wounding, manslaughter, etc.
- 4) Public order – demonstration
- 5) Other (specify).....

8. How long were you in police custody?

- 4) Less than a day
- 5) 1 – 3 days
- 6) 4 – 7 days
- 7) 1 – 4 weeks
- 8) 1 – 3 months
- 9) More than three months

11. How long have you been in prison custody?

- 1) Less than 1 month
- 2) 1 – 3 months
- 3) 4 – 12 months
- 4) 1 – 2 years
- 5) 3 – 4 years
- 6) more than three years

12. How many times have you been arrested for different offences by the police before your present arrest by the police?

- 1) Once
- 2) Twice
- 3) Three and more

11. How many times have you been convicted by a court?

- 4) Never
- 5) Once
- 6) Twice and more

32. When you were arrested, were you abused or insulted by the police?

- 3) Yes
- 2) No

33. When you were arrested, were you beaten or slapped by the police?

- 1) Yes
- 2) No

34. When you were arrested, did the police threaten you with a gun?

- 1) Yes
- 2) No

35. Were you tortured in the police custody?

- 1) Yes
- 2) No

36. If yes what were the things done to you?

- | | | |
|--------------------------------------------|--------|-------|
| 1) Beaten | 1) Yes | 2) No |
| 2) Chained to the ground | 1) Yes | 2) No |
| 3) Denied water and food | 1) Yes | 2) No |
| 4) Denied contact with relations / Lawyers | 1) Yes | 2) No |
| 5) Burnt with hot object | 1) Yes | 2) No |
| 6) Shocked with electric current | 1) Yes | 2) No |
| 7) Pricked with needle or sharp objects | 1) Yes | 2) No |
| 8) Other (specify)..... | | |

37. Have you ever witnessed any of the following action by the police in Nigeria?

- | | | |
|---------------------------------------|--------|-------|
| 1) Police abusing a person | 1) Yes | 2) No |
| 2) Police slapping a person | 1) Yes | 2) No |
| 3) Police kicking a person | 1) Yes | 2) No |
| 4) Police beating a person | 1) Yes | 2) No |
| 5) Police injuring a person | 1) Yes | 2) No |
| 6) Police pointing a gun at a person | 1) Yes | 2) No |
| 7) Police shooting a person | 1) Yes | 2) No |
| 8) Police helping a person | 1) Yes | 2) No |
| 9) Police receiving bribe from people | 1) Yes | 2) No |

38. Do you agree that the police in Nigeria abuse, beat and kick members of the public only when provoked or challenged by members of the public?

- 1) Yes
- 2) No

39. How much do you think the police in Nigeria respect members of the police?

- 6) Very much
- 7) Much
- 8) Little
- 9) Very little

20. Have you ever:-

- | | | | | |
|-----------------------------------------------|--------|-------|--|----|
| 1) Abused a police officer? | 1) Yes | 2) No | | |
| 2) Beat or slapped a police officer? | 1) Yes | 2) No | | |
| 3) Obstruct police from arresting someone? | 1) Yes | 2) No | | No |
| 4) Threw stones at police officer | 1) Yes | 2) No | | |
| 5) Refuse to assist a police officer on duty? | 1) Yes | 2) No | | No |
| 10) Resist arrest by police? | | | | |

21. Which of the following is the most important reason why police in Nigeria beat, injure or kill members of the public.

- 9) The government supports the police for engaging in the act
- 10) The government orders the police to engage in the act
- 11) There are too many criminals in the country
- 12) The people are afraid of police
- 13) The police are not respected by the police
- 14) The police are frustrated
- 15) The police are corrupt
- 16) Other (specify).....

22. Do you support the idea that State Governments should establish their own police force?

- 1) Yes
- 2) No

23. Do you support the idea that Local Governments should establish their own police force?

- 1) Yes
- 2) No

24. If yes to questions 22 and 23, which of the following is the most important reason for your answer?

- 6) Will reduce crime
- 7) Will make police respect members of the public
- 8) Will make police men and women more comfortable
- 9) Will reduce police corruption and brutality
- 10) Other (specify).....

25. If no to question 24 and 25, which of the following is the most important reason for your answer?

- 8) Too many police forces will lead to confusion and conflict.
- 9) It will not reduce crime
- 10) It will be used by politicians in power at state and local levels to oppress opponents
- 11) State and Local Governments do not have enough money to properly run police force.
- 12) It will make police more corrupt and violent
- 13) They will be used to rig elections
- 14) Other (specify).....

26. What is your suggestion for improving the relationship between the police and the public?

.....
.....
.....

27. How effective is the Nigeria police in controlling crimes

- 5) Very effective
- 6) Effective
- 7) Ineffective
- 8) Very ineffective

28. Is Nigeria police becoming more or less violent in their relationship with members of the public.

- 1) Less violent
- 2) More violent
- 3) Not more, not less violent